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East Poplar Oil Field  
Case

DEPOSITION - LAURA BLEA

Region 8  
  
13605

COPY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

CARY G. YOUPEE, et al.,

Plaintiffs,

vs.

MURPHY OIL USA, INC., et al.,

Defendants.

Cause No. CV 98-108-BLG-JDS

Judge Jack D. Shanstrom

MESA PETROLEUM and PIONEER  
NATURAL RESOURCES, USA, INC.,

Defendants/  
Third Party Plaintiffs &  
Cross Plaintiffs,

vs.

AMARCO RESOURCES CORP.  
BESTWAY INC.; WESTDALE  
PETROLEUM INC.; and THE  
PRUDENTIAL GROUP,

Third Party Defendants,

vs.

JOHN DOES 4-50,

Cross-Defendants.

DEPOSITION

OF

LAURA BLEAZARD

TIME: Tuesday, June 12, 2001 at 8:10 a.m.

PLACE: Sherman Motor Inn, 200 East Main, Wolf Point, MT

Joann D. Heser  
Official Court Reporter  
Fifteenth Judicial District  
Roosevelt County Courthouse  
Wolf Point, Montana 59201  
Ph. (406) 653-6272  
Home: (406) 525-3712

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APPEARANCES

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OTHERS PRESENT:

Ross Bleazard

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1 BE IT REMEMBERED: That the oral deposition of LAURA  
2 BLEAZARD was taken at 8:10 a.m. on the 12th day of June,  
3 2001 at the Sherman Motor Inn, 200 East Main, Wolf Point,  
4 Montana, with the appearances of counsel hereinbefore  
5 noted, before Joann D. Heser, Official Court Reporter and  
6 Notary Public for the State of Montana.

7 The following proceedings were had:

8 -----

9 Whereupon,

10 LAURA BLEAZARD,

11 called for examination, and being first duly sworn upon her  
12 oath, testified as follows:

13 EXAMINATION BY MR. ROSS:

14 Q My name is John Ross. I'm a lawyer that  
15 represents Pioneer Natural Resources, one of the defendants  
16 in this case. Have you ever had your deposition taken  
17 before?

18 A No, I haven't.

19 Q You understand the process that you're under oath  
20 and you're to answer questions as truthfully and accurately  
21 as you can?

22 A Yes.

23 Q And you understand that a record is being made of  
24 this deposition so you have to answer audibly so the Court  
25 Reporter can take down my questions and your answers.

26 A Right. I sat in on one before.

27 Q Okay. I want to ask you first a few background  
28 questions. When and where were you born?

1           A     I was born in Wolf Point, February 19, 1950.

2           Q     Are you a member of the Tribe?

3           A     Not in Poplar. I'm Ogalala Sioux from Pine Ridge,  
4     South Dakota. I'm not enrolled because of a residency  
5     clause that they have, and I did not live there.

6           Q     What's your educational background?

7           A     I was a HomeEc major in college but changed to  
8     education. I have three classes left to complete that. I  
9     now work for Fort Peck Head Start for the Fort Peck Tribes,  
10    and am health disabilities specialist.

11          Q     Where did you go to college?

12          A     I went at MSU, Bozeman, and Salt Lake City, the  
13    University of Utah, and also it's now University of Great  
14    Falls, but at the time it was the College of Great Falls.  
15    And I've also taken a few classes from Fort Peck College.

16          Q     What jobs have you had other than the ones you've  
17    just mentioned. Have you done other things?

18          A     I worked in social services for a church in  
19    Glasgow, and I worked for the Poplar school system in  
20    Poplar for several years.

21          Q     Are you married?

22          A     Yes, I am.

23          Q     Do you have children?

24          A     I do.

25          Q     Who lives with you? Do they live with you?

26          A     I have one son that lives with me, David. He's  
27    19. I have a daughter that lives in Poplar now, Erica.  
28    She's married to Freedom Crawford. They have one child.

1 And this is my grandchild, Lauren. And I have a son,  
2 Justin, that is completing his Master's in Engineering at  
3 Montana State University in Bozeman and will be going to  
4 work for British Petroleum next month.

5 Q Have you lived in this area, meaning Poplar-Wolf  
6 Point, most all of your life?

7 A No, I grew up in Circle; and after I married, I  
8 spent a short time in Utah and then lived in Bozeman. Then  
9 we moved back to Circle, and then moved to Glasgow, and in  
10 1990 we moved to Poplar. And it's at that time we moved to  
11 the farm. We moved a house in and we moved to the family  
12 farm in Poplar.

13 Q When you say family farm, when did you acquire the  
14 family farm? What's the history of the family farm?

15 A My grandmother, who was an Ogalala Sioux, married  
16 Frank Sears, who was a Tribal member of the Fort Peck  
17 Assiniboine-Sioux Tribe in Poplar. They had one daughter,  
18 and they received allotted land; and upon their death, my  
19 grandmother inherited that land.

20 Q What was your grandmother's name?

21 A Josephine Janis Sears Grainger.

22 Q Are you related to the Plaintiffs Trivian Grainger  
23 and Denise Grainger?

24 A Um, Trivian was married to my cousin and her  
25 daughter is Denise. So we're cousins.

26 Q So just to make sure I understand how long you've  
27 been there. You came back here in 1990?

28 A Yes.



1 Q But before that, what time did you spend in the  
2 area?

3 A A lot of time. My grandparents were there, and we  
4 spent a lot of time there. I learned to swim there -----

5 Q When you say there, you're referring to?

6 A The family farm in Poplar or north of Poplar.

7 Q Where did you swim? in the Poplar river?

8 A Yes, we used to. That's where I learned to swim.

9 Q You know, I grew up and learned how to swim in a  
10 river, too, so I understand that. In front of you is what  
11 is marked as Exhibit 1, which is this map; and I'd like for  
12 you, if you would, to take this pen and write your name  
13 where your property is located, if you can.

14 MR. DOLAN: I'm going to clarify with Ms. Bleazard. There  
15 is -- they own various pieces of ground. I assume we're  
16 talking about the 40, is it a 40 that was sold where well  
17 M32 is?

18 A (By Deponent) Ten acres.

19 MR. DOLAN: Ten acres.

20 Q (By Mr. Ross) And that's where you live?

21 A (By Deponent) Where we lived, unhunh. (Indicates  
22 yes.)

23 Q Let's start with that. Let's start with the ten  
24 acres where you currently live.

25 MR. DOLAN: No, it's not where you currently live.

26 A (By Deponent) No. But it's right where we did  
27 live.

28 MR. DOLAN: Where they lived.

1 Q (By Mr. Ross) Okay, when did you live there?

2 A (By Deponent) We lived there from 1992 until  
3 1998.

4 Q Okay. Why don't you write your name right there,  
5 and that's by -- let the record show that's by M32, is that  
6 correct?

7 A Unhunh. (Deponent indicates yes.)

8 Q Okay, you lived there from '92 to '98, did you  
9 say?

10 A Yes.

11 Q Okay. What other land do you have that might be  
12 shown on Exhibit 1?

13 A Okay, I had land east of there, farmland, and ----  
14 -

15 Q Okay, that still in Section 29?

16 A Some of it, yes. I had land -----

17 Q How much do you have? How much acreage?

18 A Okay. Um, right now I have thirty acres in that  
19 area. I sold off 80 additional acres to the west of that.  
20 And in Section 20 I have 80 acres and I sold a 40 and a 20  
21 and, I believe, a 20 along the river.

22 Q Okay, so you currently own how much acreage?

23 A About 110 acres right there.

24 Q Okay. Now, in addition to what you just described  
25 as owning in Sections 20 and 29, do you own other acreage  
26 in that East Poplar valley?

27 A No. I would have some on Section 5, which is next  
28 to the highway. It wouldn't be in that area.

1 Q It would be south of what is shown on this map?

2 A Yes.

3 Q Okay.

4 A And, let's see, I believe part of it goes into 28.  
5 I don't think I mentioned that. So there's 20 and some in  
6 28 and then 29.

7 Q Okay, so what's your total acreage that you own in  
8 East Poplar?

9 A 110 acres.

10 Q 110 acres, okay. Where do you live now?

11 A I live just east of Poplar, approximately a half  
12 a mile I'm renting from another cousin.

13 Q Why did you move in 1998?

14 A I had two reasons for moving. One of them was  
15 that we had built -- well, we moved a home in and we  
16 remodeled it. And we had a lot of water problems. We had  
17 scum that was -- or film that was forming on our water. We  
18 were getting sores on our bodies, and it was kind of scary.  
19 And that was somewhat in the back of my mind. My son was  
20 injured, and we felt that a warmer climate might help him.

21 Q How was he injured?

22 A He was injured in a basketball injury and broke  
23 his knee, and so we thought we would take him to a warmer  
24 climate and see if that would help; and we were concerned  
25 about losing the value of our property, and I didn't want  
26 it to deteriorate. And so I put it up for sale. We did  
27 consider renting it in case we possibly moved back, because  
28 it's very difficult for us to give up our land. Sometimes

1 we have to, but it's hard to do; and that had been in our  
2 family for a long time. Um, and when I sold my house, I  
3 explained the water situation; and I took a cut in what I  
4 was asking for the house. Um, we hauled our water, and I  
5 explained that to the people when I sold it to them that we  
6 did not drink the water. I stopped using it at that time  
7 to cook with.

8 Q That time meaning 1998?

9 A 1998, unhunh. (Indicates yes.) And so we found  
10 someone that was interested in purchasing it; and when the  
11 interest was there, we made the decision not to rent the  
12 house, but to sell it.

13 Q Now, the water that you used up until 1998, that  
14 came from M32?

15 A Yes.

16 Q Well M32.

17 A And if I might add, at the time that we moved  
18 there, um, that water had been -- it had a history where  
19 people came out for years when my grandparents lived there,  
20 when my mother lived there; people came out from town and  
21 got their water there because it was such good water. And  
22 they would haul it back to town in jugs and, you know,  
23 glass jars. So we didn't have a concern about the water  
24 when we moved there.

25 Q Okay. Now, when did you move there?

26 A 1992.

27 Q 1992. And in 1992 the water was fine?

28 A Um, we didn't have the water tested at 1992 but we

1 didn't have the problems. There was some rust in the  
2 water, but there wasn't a film in your toilets, like an  
3 oily film that came later. It was hard water.

4 Q It was always hard water?

5 A I'm sure it was probably always hard. I don't  
6 remember.

7 Q Now, when did the film first appear in the water?

8 A I would say approximately 1995.

9 Q Did you notice it come on abruptly or did it just  
10 gradually develop a film? How did that occur?

11 A Well, you know, you just -- you clean your toilets  
12 as a routine thing; and we just started noticing a little  
13 film, and you didn't know where it came from or you didn't  
14 know what it was, just was there.

15 Q How would you describe the film? Can you describe  
16 it in a -- in any more detail?

17 A Um, it wasn't a thick black film or anything like  
18 that. It was just like clear, almost like a little scum.  
19 I don't mean an algae or anything like that, just almost  
20 like you -- I can't say like you put salad oil in water.  
21 It wasn't -- it didn't glob together that much. It just  
22 was a real fine, very thin film; and when you would clean  
23 your toilet, it would swirl in the water.

24 Q And that appeared in about 1995?

25 A I would say 1995, possibly '96.

26 Q When you first noticed it, did you confer with  
27 anyone about it?

28 A No.

1 Q Did you have it analyzed?

2 A No.

3 Q Have you ever had it analyzed?

4 A Personally, I have not called someone or taken a  
5 sample of my water in to someone, no.

6 Q Has anyone else that you know of taken any samples  
7 of it?

8 A Yes.

9 Q Who's that?

10 A Um, the USGS has done that, and there have been  
11 samples taken since we began this process.

12 Q How many times has it been sampled, do you know?

13 A I can't tell you exactly how many times because  
14 I'm not in residence there now.

15 Q Do you know what the results of those samples were  
16 of any of the samples?

17 A I have seen some of the results, yes, and the  
18 water has deteriorated. There were times that I thought of  
19 having it analyzed, and I did talk to the physician at  
20 Indian Health about the water because of the sores that we  
21 were getting on our body and in our head. And then when we  
22 would leave home and go and stay some place, like we'd go  
23 to Glasgow and stay with my parents for a few days or we  
24 might go to Utah to visit my husband's family or even a  
25 trip to Billings or whatever, if you were there for a  
26 period of three or four days, those sores would start going  
27 away. I mean, they'd leave, and you wouldn't have them.  
28 If you were gone for two weeks, you didn't have them; and

1 then you'd come back, and then they would start coming.

2 Q These sores appeared after 1995?

3 A Yes, unhunh.

4 Q And did you ever go to a doctor and have those  
5 looked at?

6 A Yes, I did. In fact, I brought with me -- because  
7 I hadn't gotten the record from Indian Health yesterday.  
8 I was going to get it and the lady didn't get it done.  
9 But here's the prescription that the doctor at IHS gave me,  
10 because I was talking to him about it; and he thought this  
11 Selsun lotion would help in my head and to use it for the  
12 kids, too. And then they gave us another lotion to put on  
13 our body. The skin was really drying out, but these little  
14 sores would come. And I don't have any more of that  
15 lotion.

16 Q Is that Selsun, is that a prescription that he  
17 prescribed or is that an over-the-counter lotion?

18 A I can't -- it's an IHS. Could be an over-the-  
19 counter, but I believe it's a prescription. It has a  
20 prescription label. Um, it is -- it says on here,  
21 prescription formula.

22 Q And what's it called?

23 A Selsun Rx. It's a 2.5% selenium sulfide lotion.

24 Q That was prescribed by a doctor at Indian Health  
25 Service?

26 A Yes, it was.

27 Q And what was the doctor's name?

28 A Dr. Arosemena.

1 Q What did the doctor diagnose as your problem?

2 A He said he couldn't tell me exactly what the cause  
3 of it was, but that it was kind of suspicious that it would  
4 go away when we left the area and it would come back when  
5 we were back in -- you know, living in our residence and  
6 using regular hygiene. That that was odd.

7 Q Okay. Did you bring with you, in any materials  
8 this morning, any of the sample results from an analysis of  
9 your water?

10 A Um, I believe there's some in the report, just the  
11 reports that you have.

12 Q When you say the reports, you're referring to the  
13 USGS report?

14 A Yes, unhunh. And I did also bring the letter that  
15 was received with concern from the EPA. I noticed that  
16 there was contamination in the water. And there was also  
17 a little E-mail. Easily recognizable. It has a little  
18 coffee stain on it. I think I was probably reading it and  
19 drinking my coffee and it spilled. Surprised me.

20 (AS THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
21 EXHIBITS 13 AND 14 FOR IDENTIFICATION PURPOSES.)

22 Q I'll show you what's been marked as Exhibit 13.  
23 Is that one of the EPA documents that you referred to and  
24 brought with you this morning?

25 A Yes.

26 Q And I'll show you what's marked as Exhibit 14 and  
27 would you please identify that for us?

28 A This is the E-mail that came that discussed the



1 water.

2 Q And when did you receive that?

3 A Late in 1999.

4 Q Now, I see that Exhibit 14, the E-mail's addressed  
5 to Kenneth Hull; and Allen, George; and Richard Oksness and  
6 Skip Hayes. Is that correct?

7 A Yes.

8 Q Now, who are they?

9 A Kenneth Hull is the Environmental Health officer  
10 for the Tribe.

11 Q And who are the other identified recipients?

12 A I can't tell you who those are. I work with Ken  
13 Hull.

14 Q And how did you receive Exhibit 14?

15 A Someone that I was working with at Head Start, who  
16 was a compliance officer, was discussing it and asked me if  
17 I had received any information.

18 Q And who was that person?

19 A Herman Pipe.

20 Q And when did that conversation occur  
21 approximately?

22 A Um, in October of '99.

23 Q And then did you receive Exhibit 14 shortly  
24 thereafter?

25 A Yes.

26 Q And what is your understanding of what Exhibit 14  
27 communicates?

28 A Um, concern for the water. It says that -- it

1 . talks about the Safe Drinking Water Act and the ground  
2 water contamination in and near the East Poplar oil field  
3 in the Fort Peck Indian Reservation in northeast Montana.  
4 And talks about the source of drinking water for the rural  
5 residents.

6 Q Is it your understanding that Exhibit 14 relates  
7 to Exhibit 13, the EPA's order?

8 A Yes.

9 Q Now, we talked a little bit about the analysis of  
10 your water from well M32, and I understood you to say that  
11 you had never had it analyzed yourself, ----

12 A No.

13 Q --- but USGS had analyzed it?

14 A Yes.

15 Q Anyone other than USGS that you're aware of that's  
16 taken samples?

17 A Just those that have been taken since we began  
18 this process to have it analyzed, and I believe you have  
19 copies of those. (Deponent confers with her attorney.)

20 Q Are you looking for your sample results?

21 A (Deponent indicates yes.)

22 MR. DOLAN: I think we've got it, John. I can't remember  
23 what supplemental answer is. . . (Continues to peruse  
24 documents.) I believe that the results we sent to you from  
25 our expert had a sample of her well on it, and I sent  
26 those, I thought, with. . . (Mr. Dolan continues to search  
27 for a document.)

28 Q (By Mr. Ross) That's alright. I think we can

1 proceed. What I show is that the well was sampled in 1993.  
2 Is that consistent -- the first sample in 1993. And that  
3 was done by USGS, is that your understanding?

4 A (By Deponent) Yes, it was.

5 Q And then the only other time that water from well  
6 32's been sampled was in 1999. That was done by your  
7 expert, is that what I'm understanding?

8 A There was also one done -- I can't give you the  
9 exact date, but, I believe, in the summer of '97 or '98 the  
10 USGS did one, did a second one. Two women came and did it.

11 Q So it's your recollection that it was sampled in  
12 '93 by USGS and it was sampled again in 1997, '98, in that  
13 time period?

14 A Yes.

15 Q And do you know who took that sample in '97, '98?  
16 Do you know where the women were from or who they were  
17 affiliated with?

18 A USGS.

19 Q Did you get copies of the sample in '97 and '98?

20 A Yes, I did. And I believe it was in '97 because  
21 I think I received that report. It takes several months  
22 for that, ----

23 Q Okay.

24 A --- and I'm thinking, and I may be off on my  
25 dates, but I'm thinking it was in '98 that we received the  
26 information and a disc and also a real thick packet. And  
27 there were some changes that were noted; and when I spoke  
28 to the women, when we had talked to them in '93, the

1 sampling -- they said they were safe to use. In '97 -- and  
2 I'm going to use that date, '97 -- um, there were changes  
3 and those changes were -- I remember them commenting that  
4 it seemed odd that at Loegerings the water was still much  
5 better than it was at our place.

6 Q And where are Loegerings in relationship to M32  
7 and your property?

8 A They would be a litte farther to the south.

9 Q Approximately how far?

10 A Approximately between a quarter and a half a mile.

11 Q So the water at Loegerings was still good in '97?

12 A Yes.

13 Q And what were the changes that you recall  
14 reflected in the '97 results?

15 A I remember them talking about the salt content --  
16 I use the word salt. I suppose sodium chloride. That it  
17 was higher, that the water was much harder, and we had  
18 noticed a marked difference. I was hauling my laundry by  
19 that time. and that was a change from '93. I mean, in the  
20 meantime, we had started hauling our laundry and -----

21 Q When did you start that?

22 A Um, you take it so many times that it's hard to  
23 remember when we started, but I would say the end of '94.

24 Q And then your water was sampled again, you said,  
25 by your expert in this litigation, 1999, is that correct?

26 A '99 or 2000. There's one in November, I believe,  
27 of 2000, and I believe 1999, possibly October, would that  
28 be right?

1 Q And have you received results of those two samples  
2 that your expert took?

3 A Yes.

4 Q And what's your understanding of what they  
5 reflect?

6 A The water is not getting better. It's getting  
7 worse.

8 Q Getting worse in what regard?

9 A The salt content is going up. I did not notice,  
10 you know, like benzene or any of those elevated, but it's  
11 happened to my neighbors, and water flows, and it's scary.

12 Q When you say it's happened to your neighbors, what  
13 do you mean it and who are your neighbors?

14 A The benzene has gone up. These people are all my  
15 neighbors.

16 Q Which specific neighbor are you referring to? and  
17 are you saying that the benzene has gone up in some  
18 neighbor's well?

19 A Um, Tim Trottier lives just to the west of me,  
20 almost directly. I'm sorry, not west, east. His house is  
21 up here on the hill, and mine is down here below the hill.  
22 And his water is real bad. I know that Charlie, who lives  
23 to the north of me, ----

24 Q Charlie's last name is?

25 A --- Charlie Four Bear.

26 Q Okay.

27 A His water has gotten worse. Charlie lives maybe  
28 a mile from me.

1 Q How do you know the results of the Trottier and  
2 Four Bear water? Have you seen the results or have they  
3 told you?

4 A I have seen some of the reports. We get the  
5 reports. We also have talked about it. We had some real  
6 concerns. And, as things begin to get worse -- I mean, you  
7 go to the Laundromat and who do you see? You see your  
8 neighbors there washing their clothes, doing the same thing  
9 you're doing. We have the same grocery stores. We go to  
10 those grocery stores. We're buying the same products to  
11 try and fix our plumbing or to try and clean up our water.  
12 We're buying water at the same stores. When you live in  
13 this area, there's only a few places you can get those.

14 Q Okay.

15 A And I meet those same people at Indian Health. We  
16 have the same concerns.

17 Q And it's my understanding you said you noticed  
18 deterioration in the water from M32 in about 1995, is that  
19 correct?

20 A Yes.

21 Q Other than discussing the water problem with  
22 neighbors, people you work with, are there other people  
23 that you discuss the problem with?

24 A Yes, I discussed it with the doctor. I told you  
25 that. I also discussed it with the people when I was  
26 selling our house. I later discussed it with my in-laws;  
27 I discussed it with them.

28 Q And who are they?

1           A     Mr. and Mrs. Grant Bleazard in Utah.

2           Q     Now, going back to the doctor, did the doctor tell  
3 you that there was a relationship to the water and the skin  
4 problem that you discussed?

5           A     He told me he couldn't tell me exactly what was  
6 wrong with me, but that there could definitely be a  
7 relationship because of the fact that when we went away and  
8 were away from that water that it cleared up.

9           Q     Do you have any medical records that relate to  
10 your skin problem?

11          A     I should have a medical record dated for this date  
12 that he gave me this prescription, and that's what I was  
13 trying to get to bring to you.

14          Q     But you weren't able to locate it, is that right?

15          A     I didn't get it yesterday, no.

16          Q     If you are able to locate that, could you produce  
17 a copy, give it to your lawyer, and he can produce a copy?

18          A     Yes, I could. I also have discussed it with my  
19 son that is in Engineering at Bozeman, and we discussed  
20 taking water samples and having them run at the lab in  
21 Bozeman. And he had expressed concern about certain  
22 carcinogens. He's the one that asked me if any of the  
23 reports had certain elements in them because he was  
24 concerned because he does work in the lab. He was also a  
25 biology major.

26          Q     Do you have any knowledge of any carcinogens in  
27 the water well 32?

28          A     At this point, I don't. But I have the concern,

1 and maybe that's what makes it more frightening is because  
2 I don't know for sure what's there. But I do know things  
3 that have happened as a result of it; and it makes it very  
4 frightening for me, and it also makes it very difficult.

5 Q What things have happened as a result of it that  
6 you're referring to?

7 A I can't give that land to my children, and that's  
8 very difficult for me. Sorry. I have a granddaughter  
9 here, and I wanted her to be on that land; and I can't give  
10 them the land to build their house. I had to tell them  
11 that I couldn't give them land to build on there because I  
12 didn't know what was wrong with the water. And now they're  
13 moving someplace else.

14 Q You left there in 1998, is that correct?

15 A I did.

16 Q And where do you live now?

17 A I live east of Poplar, one half mile.

18 Q And who owns the property that you're on now?

19 A Chuck Trinder. Actually, it's in trust for him.

20 Q And who is he?

21 A He's my cousin.

22 Q And how did you happen to decide to live there  
23 after 1998?

24 A I said we moved to Utah.

25 Q So you moved to Utah in '98.

26 A I moved to Utah in 1998. I moved back in 1999 in  
27 the summer. It's hard to be away from the area that you  
28 have ties to; and my son wanted to come back to that area



1 to go to school, and I wanted to come back and go to work.  
2 And I went to work for the Tribe.

3 Q How did you decide to live on the property of  
4 Chuck Trinder when you came back in '99?

5 A I didn't move there directly. I moved into the  
6 town of Poplar because there were no place -- it's not easy  
7 to find a place to rent in Poplar, and I had a job there.  
8 And, so, I rented from Candice Bridges in town. I later  
9 moved to Frazer for a short period. And then, finally,  
10 Chuck's house was open. He moved to Oregon, and I moved  
11 into it.

12 Q Are you paying any rent or compensation for living  
13 in -----

14 A Yes.

15 Q What do you pay?

16 A I pay two hundred and -- \$310 a month.

17 Q Now, going back to the sales of property that you  
18 made, when did you make those sales and to whom?

19 A In 1998, I believe it was January, I sold land to  
20 Iva Trinder, my cousin. It was the farmland that was to  
21 the east of the house.

22 Q Now, is Iva related to -- Iva Trinder related to  
23 Chuck Trinder?

24 A Yes, that's his mother. She's now deceased.

25 Q Okay, so in 1998 you sold which parcel of land to  
26 Iva?

27 A Eighty acres to the east of M32. It was farmland.

28 Q Did it have a residence on it at all?

1 A No.

2 Q Have a water well on it at all?

3 A No.

4 Q Just dryland wheat farm?

5 A Yes.

6 Q Did you bring with you this morning any documents  
7 that relate to that sale?

8 A No, I didn't.

9 Q What did you sell that property for?

10 A A hundred and eighty dollars an acre, which was  
11 below the value.

12 Q How do you know that it was below the value?

13 A The same year land in that area, Lockman's, for  
14 example, sold farmland for \$585 an acre.

15 Q And you sold yours for what an acre?

16 A One hundred and eighty.

17 Q Why did you sell it for less?

18 A I sold it for less because I needed the money and  
19 that was the best price that I could get; and as a  
20 relative, she purchased it from me and shared the concern  
21 of what it would produce if the ground was filled with the  
22 salt.

23 Q Was there any indication that that 30 acres -----

24 A Eighty acres.

25 Q Eighty acres, excuse me, was contaminated?

26 A Um, the only evidence there would be is that the  
27 production has gone down.

28 Q What do you base that on?

1 A Farm records.

2 Q Do you have any of those records?

3 A There are some, I believe, in the exhibits that I  
4 gave you. You can translate those. I don't translate them  
5 very well from the FSA. But I can tell you that previous -  
6 - and I can get you the results of what productions there  
7 were in the ----- (Deponent confers with her attorney.)

8 Q I'll show you the documents that you brought with  
9 you this morning. Can you identify for us, first of all,  
10 those documents that relate to the sale to Iva Trinder in  
11 1998?

12 A I can show you the maps. I don't have the deed  
13 with me.

14 Q Okay.

15 A Okay, right here.

16 Q Okay, just a minute.

17 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
18 EXHIBIT 15 FOR IDENTIFICATION PURPOSES.)

19 Q (By Mr. Ross) Let me mark that as an Exhibit.  
20 We've marked as Exhibit 15 a one page photocopy of a map or  
21 a photo of land. Can you describe for us what that shows?

22 A (By Deponent) It shows Poplar river on the west  
23 side of the map, and it shows strips of farmland in the  
24 center, and block farming on the east of the map.

25 Q And does it show the 80 acres that you sold to Iva  
26 Trinder?

27 A I need to correct that. It was 120 acres that I  
28 sold to Iva. It would be in this area. This 40 and this

1 40.

2 Q And that appears in the top right corner of  
3 Exhibit 15, the 120 acres you sold?

4 A Yes. Yes, it does.

5 Q What section is that in, referring again to  
6 Exhibit 1, the big map, the 120 that you sold to Iva  
7 Trinder?

8 A I believe it's in 28 and a small portion of that  
9 might be in 20. And it would be in 28.

10 Q Did you own that fee? Do you understand what I  
11 mean by fee?

12 A Yes. It's not in trust. It is now in trust; but  
13 at the time I sold it, it's not in trust or it was not in  
14 trust. And the reason was that, in the late 1950's or  
15 1960's, there was the potential for oil leasing, and my  
16 grandmother wanted to be more in control of her own destiny  
17 and took it out of trust. And because we're not of that  
18 Tribe that my mother and grandmother enrolled in South  
19 Dakota, we could not put it back into trust. And so,  
20 therefore, I had to keep it and it was deeded land. But,  
21 because Iva was a Tribal member at Poplar, she and her  
22 husband, Howard, could put that back in trust, and it is in  
23 trust now.

24 Q Do they still own it?

25 A Howard, I believe, still owns it.

26 Q Howard is ----

27 A Her husband.

28 Q --- a husband. And you said Iva -----

1 A Iva is deceased, yes. And I believe that Howard  
2 is the one that received that in the will, but it may have  
3 been Robert Trinder. I'm not sure.

4 Q Does Howard Trinder now farm it as dryland grain?

5 A He has people farming it for him, yes.

6 Q Who actually farms it?

7 A Um, I can't tell you all of the people that he  
8 had, people in certain areas that helped him with his  
9 farming this year, and one of them is Gary MacDonald from  
10 Wolf Point. He's a county commissioner. I'm not sure of  
11 the other two people that are helping him, but they are  
12 people within the area; and they divided up certain areas  
13 of his to do, and I can't tell you exactly who's doing it  
14 on the land that I owned before. I can tell you that his  
15 grandson leased, share-cropped, the small portion of  
16 farmland that I have that joins that piece right to the  
17 east of M32; and the bushels that we received last year  
18 were seven bushels to the acre.

19 Q Do you attribute the yield on that property to  
20 problems with the water?

21 A I think it has something to do with it. We all  
22 know that the climate, you know, if you get rain or you  
23 don't get rain or you get hail -- it was not hailed out.  
24 It was not droughted out last year. It wasn't rained out  
25 last year. But he only got seven bushels to the acre, and  
26 he was using the same equipment that Howard was using, yes,  
27 large tractors and his very good equipment. And we've  
28 never -- in fact, the FSA asked me where the rest of the

1 wheat was, because in the history of the property -----

2 Q FSA meaning what?

3 A Farm Service Agency.

4 Q And who was it again that farmed it that got the  
5 seven -----

6 A Curtis Trinder, who is Howard's grandson and  
7 Chuck's son. This year I chose to summerfallow that piece.

8 Q And where is that located, the part that Curtis  
9 farms?

10 A Just to the east of the residence and the M32  
11 well.

12 Q Do you still own that?

13 A Yes, I do. But I was hoping one year my -- it  
14 would build up some nutrients or something.

15 Q Have you had any soil samples taken on that  
16 acreage just -- you say it's just east of M32?

17 A Yes.

18 Q Have you had any soil samples taken?

19 A No, I haven't, but I could do that.

20 Q Going back to the 1998 sale to Trinder, did you  
21 list that land for sale with any real estate agency?

22 A No, I didn't. I contacted the people that had  
23 leased from me previously.

24 Q Who were they?

25 A Lockmans. And they live just farther to the east,  
26 and he chose not to purchase it because his -- he's in the  
27 process of retiring and his children were in debt far  
28 enough, and they didn't feel that they could afford to go

1 in debt further and risk -----

2 Q Did you discuss price with Lockman?

3 A Yes. I -- my asking price was \$300 an acre  
4 considering wheat prices and -- I was hoping that that's  
5 what I would get. And the land adjoining it and across the  
6 road had sold earlier. He had purchased it from my uncle  
7 for \$300 an acre, but that was some years before. And it  
8 was good producing land -- had been good producing land.

9 Q Did you make any other efforts to sell it other  
10 than contacting Lockman?

11 A Um, I talked to some other farmers. I don't  
12 remember advertising it. And then I contacted Iva and  
13 Howard because I wanted to be able to keep it in the  
14 family.

15 Q You said something to the effect that you needed  
16 the money. Is that one of the reasons you sold it?

17 A Yes.

18 Q Why did you need the money?

19 A As I said, my son had been injured, and it was a  
20 very severe injury; and he had been denied Indian Health  
21 coverage for physical therapy because we were at a level  
22 12, which is life or limb, and they make the choice if  
23 you're not going to die or they're not going to amputate  
24 the leg. And it's hard to tell a 15 year old that you can  
25 be in a wheelchair because they're not going to provide  
26 your physical therapy. And he had 14 hours a day at first  
27 that he was doing physical therapy; and I had to travel  
28 with him, and I had to make a lot of concessions. So I

1 needed the money.

2 Q Got injured in a basketball game?

3 A Practice, yes. And he was -- and he was then off  
4 crutches, but I needed -- he was able to walk and do some  
5 running at that time. But I needed to pick up bills that  
6 were from before.

7 Q Now, in addition to the 1998 sale to Trinders,  
8 have you sold other land?

9 A Only the land on where the house is and then I  
10 also sold the river land to Dunn O'Connor.

11 Q Okay, let's take them one at a time.

12 A Okay.

13 Q When did you sell the land where the house is ----

14 -

15 A June.

16 Q Excuse me, go ahead.

17 A June 1998 to Dr. Roman Hendrickson. Actually,  
18 it's to his wife, Joan Hendrickson. They reside there.

19 Q Okay, and how much acreage did you sell of that?

20 A Ten acres and our house. And -----

21 Q And how much did you sell that for?

22 A I sold the house for \$70,000, I believe. I was  
23 asking \$125,000. It was approximately 3900 square feet,  
24 three levels, with a sunroom on the side.

25 Q Did you sell the house separate from the ten  
26 acres?

27 A No.

28 Q So you sold the house and the ten acres for



1 \$70,000?

2 A Yes.

3 Q And when you say you were asking \$125,000, how did  
4 you list the property or try to sell it initially?

5 A Um, mostly word of mouth. I went to the banker  
6 and asked for some values and asked what property was going  
7 for in the area. Um. . .

8 Q What banker did you go to?

9 A Jeff Ruffatto. It was then Traders State Bank and  
10 then became Independence Bank.

11 Q Located where?

12 A In Poplar. And much of the like transactions that  
13 have beginnings in our area have beginnings with word of  
14 mouth. We do that very well. I also talked to people at  
15 IHS for any doctors that might be coming in. I talked to  
16 people, like at the school for superintendents or -----

17 Q Why did you want to sell it at that time?

18 A I believe I mentioned before that my son had been  
19 injured and we thought a warmer climate. We also had some  
20 concerns about the water and the sores that we were  
21 getting, and I didn't want to have the value go down and  
22 completely lose out.

23 Q When you say warmer climate, where did you go for  
24 a warmer climate?

25 A We went to Utah. As I mentioned, my husband's  
26 family was from that area. There was -- you don't have the  
27 northern fronts that go through Montana. They don't have  
28 those in Utah the same. Um, it's a different type of

1 climate, and we thought that that would be, you know,  
2 better for him. There was also an Indian reservation there  
3 and the opportunity for me to find work.

4 Q Now, why did you talk to Jeff Ruffatto at the bank  
5 about selling your property?

6 A Because people in our area go there to, you know,  
7 if you want to rent land or lease -- or I'm sorry, rent a  
8 house, you check certain areas, certain businesses, you  
9 know, to find out the information, the school, the bank;  
10 and I thought he might know of someone that was coming in  
11 that might be interested or someone that had mentioned in  
12 the course of conversation.

13 Q How did you determine what to ask for the ten  
14 acres and the house?

15 A I called some -- I believe it was American Realty  
16 and talked to them.

17 Q Where are they located?

18 A Billings, and they also had a branch at that time,  
19 a Marlene Toavs, I believe her name is, here in Wolf Point.  
20 And I spoke to her about the sale of the land. I also  
21 spoke to her about possibly selling some land on the  
22 highway that I have.

23 Q Is she still located here in Poplar or Wolf Point?

24 A I have no idea, because I didn't pursue anything  
25 with her.

26 Q American Realty still have an office in this area?

27 A I have no idea. Then I also -- I contacted people  
28 at IHS just in conversation, are there some new doctors

1 coming in? Do you know anybody that wants a house or is  
2 looking for a house? In fact, one doctor accidentally fell  
3 upon our house looking for another one, and I happened to  
4 mention it to her. Maybe you don't want to rent from them  
5 or buy from them, maybe you'd like to look at my house.  
6 I'm going to sell it.

7 Q And who was that?

8 A Dr. Keval. She's also at IHS. I also talked to  
9 the insurance people about the value of the house. Course,  
10 they're selling insurance.

11 Q Well, how did you determine the value? By talking  
12 to these people, I understand that, but how did you arrive  
13 at what to ask or what to sell the property for?

14 A Um, we threw figures out, my husband and I did;  
15 and he carpenters, and so he knows the value or what it  
16 cost to build something per square foot. And we discussed  
17 it with a contractor. We also considered the location. If  
18 you look at the history books, you'll see that Lewis and  
19 Clark camped six miles up the Poplar River from the mouth  
20 of the river, which is approximately where my home was, and  
21 the river ran through it. At one time, Howard Trinder had  
22 looked at purchasing it for --the river bottom land, for a  
23 KOA camp, because he thought it would be a draw. We looked  
24 at those things. But we also looked at the area that's it  
25 in and people coming to northeastern Montana and people  
26 coming to Poplar, and we were torn between what the value  
27 of the house is, what you can sell it for in an area that  
28 you live in, and also considering that we had to come up

1 front and say that we don't use the water. And we thought  
2 that if we lowered the price, that that would not be as  
3 much of an issue. And when the doctor came and asked what  
4 we wanted, I asked for \$80,000 and we came up with \$70,000.

5 Q You countered with seventy?

6 A He countered with something else, and then we came  
7 up to seventy. What I had wanted earlier or felt it was  
8 worth, looking at construction and what we had put into the  
9 house, the improvements we had made, the changes we had  
10 made, the amount of money we had invested in it, and then  
11 considering that we were also adding ten acres, we felt  
12 that \$125,000 was not unreasonable.

13 Q Did you try to sell it for a hundred and twenty-  
14 five for any period of time?

15 A No. I threw the number out a couple of times. I  
16 talked to the doctor about the value of it at a hundred and  
17 twenty-five.

18 Q Is there any documentation -- and by that, I mean,  
19 letters, agreements, any other appraisals that relate --  
20 listings that relate to this sale to Dr. Hendrickson?

21 A No. He came knocking on my door and said, I  
22 understand your house is for sale, I'm looking for a house,  
23 I want to purchase a house in the next two weeks and move  
24 my family here; and I opened the door and let him in.

25 Q And did you sell the house to him then shortly  
26 thereafter?

27 A Within two to three weeks, I believe, yes.

28 Q Does he still reside there?

1 A Yes, he does.

2 Q Do you know whether he uses the water from M32?

3 A I believe they still shower in it, but the water  
4 that is being -- would have been supplied to that  
5 residence, if I were still living there, is going to  
6 Dr. Hendrickson because I felt that was the moral thing to  
7 do. So when they contacted me about delivering the water,  
8 I told them to get ahold of him. And he does use that  
9 water, the purchased water.

10 Q So when we were talking about samples of M32 that  
11 were taken in 1999 and 2000, that's when Hendrickson  
12 actually owned the property?

13 A Yes.

14 Q Is there any other property that you've sold?

15 A Yes, I sold some along the river to Dunn O'Connor.

16 Q And when did you sell that? How much was -----

17 A December of 1999, and -----

18 Q And do you remember how much you sold?

19 A Sixty acres, I believe, for \$60 an acre.

20 Q Now, again, referring to Exhibit 1, the map in  
21 front of you, where is the sixty acres that you sold to  
22 O'Connor?

23 A Unhunh. (Indicates yes.)

24 Q Can you tell us in what section that's located?

25 A Okay, it would be in 29.

26 Q Sort of in the southwest corner?

27 A Yes. It'd be right -- can you see where the river  
28 goes. Okay, it's right along in here.

1 Q Oh, so it's more in the northwest corner of  
2 Section 29?

3 A Right.

4 Q Okay, which side of the river is it on?

5 A It's on the east side of the river. Oh, there is  
6 a small portion of it that's on the west side of the river.  
7 That's right. The majority of the land is on the east  
8 side.

9 Q And that's river bottom land?

10 A Um, yes, it is, and a small -- there's like a  
11 slough area that goes through where we kept our garden --  
12 er, my grandfather kept a garden. There's also some  
13 grazing area through there.

14 Q Did you bring any documents with you this morning  
15 that relate to that December '99 sale to O'Connor?

16 A I did not, but I could get the deed for you.

17 Q Could you do that, please?

18 A Yes.

19 Q Why did you sell that 60 acres to O'Connor in '99?

20 A I had moved back from Utah. It's very expensive  
21 to move and re-locate, and I sold it for the money. I  
22 didn't get what I asked for it.

23 Q What did you ask for it?

24 A I asked a hundred dollars an acre for it.

25 Q And, again, how did you try to sell that 60 acres?  
26 Did you list it with anyone or list it in a newspaper?

27 A No, I had leased the land in the fall to Dunn; and  
28 in the process of leasing that land, he asked me that if I

1 ever considered selling it -- and I had said, absolutely  
2 not, I'm not selling any more of my land -- um, would I  
3 please consider him first. And, um, that's what I did.

4 Q What does he use the land for, Mr. O'Connor?

5 A He has some cows. He's fenced it and he has some  
6 cows there.

7 Q Where does he reside?

8 A He resides farther north along the river, Poplar  
9 River, and he's probably three -- no, must be about five  
10 miles north of us. We had used that land when we had  
11 registered sheep. We had our rams there, but they didn't  
12 like the water. We ended up selling them.

13 Q What was the source of water for the sheep?

14 A We used the river. We took an area and fenced it  
15 off, and we could use the river for that.

16 Q So you say the sheep didn't like the water. They  
17 didn't like the river water?

18 A They didn't like the river water very well either,  
19 no. We only had them there for a short period of time.

20 Q How long?

21 A Ah, a few months, I believe.

22 Q How did you arrive at the \$60 an acre for that  
23 sale of that 60 acres in '99?

24 A Again, grazing land should be worth \$100 an acre,  
25 and that's what I asked. And we discussed back and forth  
26 the attributes and the disadvantages of the area, and -----

27 Q What -- did water come into ----

28 A Into the discussion? Yes, it did.

1 Q --- into the discussion in the sale? In what  
2 terms or how was it part of that transaction?

3 A I expressed my concern of contamination in the  
4 river.

5 Q When you say you were talking water, you were  
6 talking about the river?

7 A The river, unhunh. (Indicates yes.) And the  
8 land itself. I mean, it has brush in there, it has grass  
9 in there, it has our chokecherry trees. It was very hard  
10 for me to sell that land, but I didn't let my kids go down  
11 and swim in the place that I had swam all the time I was  
12 little and growing up. And I would never let my  
13 granddaughter go in there and swim now. I mean, she's not  
14 old enough to, but I would never do that because of the  
15 warnings that we've had. And Dunn is very much aware of  
16 what's going on. He farms in the area. He lives in the  
17 area. And we went back and forth and we came up with \$60.  
18 And I won't lie and say, the only reason it sold for \$60  
19 was because of concern for the water. I won't say that.  
20 You ask a price and you negotiate back and forth.

21 Q What other factors came into play?

22 A Small area, him having to fence it. Those were  
23 two other concerns. He was going to fence it when he  
24 leased it, anyway, but. Also, his wife is a Tribal member,  
25 and, um, she can lease land for less money. And so that  
26 also played in it.

27 Q What warnings and from whom had you received  
28 warnings about the Poplar River?



1           A     Mainly the discussion was like at school when I  
2     worked there, some concerns about -- expressed by teachers  
3     and people in the science department about parents allowing  
4     your children to swim in the Poplar River with all the  
5     contaminants there, and discussion of deformed frogs and  
6     fish, and discussion about should the people be eating the  
7     fish that you get out of the river. That was my concerns.  
8     Mainly through discussion with the -----

9           Q     Is there any documented evidence of those concerns  
10    and warnings that you are aware of?

11          A     I believe if you go to Environmental Health and  
12    talk to Ken Hull, he would most probably have any concerns  
13    and paperwork on that. He's a Tribal sanitarian.

14          Q     Where does he work, in Poplar?

15          A     In Poplar, just to the west of the Indian Health  
16    building. I believe it's on Assinboine Street.

17          Q     Have you seen any written documentation or  
18    evidence about concerns of the Poplar river -- contaminants  
19    in the Poplar river?

20          A     Trying to remember if at the meeting that the EPA  
21    came and talked to us about concerns of the water  
22    contamination, I believe there was some discussion about  
23    that brought up by some of the people in the crowd. I  
24    couldn't tell you who brought that up, but I do know that -  
25    - I mean, I haven't seen papers that say, yes, we found  
26    this two headed fish or two headed frog or whatever, but  
27    mostly just verbal concerns. But I'm sure if you talk to  
28    Ken Hull, you'll find paperwork on it. And I could

1 possibly get some of that for you.

2 Q If you do have any documentation about the  
3 concerns of the Poplar river and the water out there, any  
4 other documents that you haven't already produced, we'd  
5 like to see those, please.

6 A And I believe one of my concerns comes from just  
7 my knowledge of the land and where the water flows.

8 Q What do you mean by that?

9 A Um, if you look at, say, Timmy Trottier's well and  
10 benzene in there, he lives up on the hill; and it's always  
11 been my natural instinct that when it rains and it rains on  
12 top of the hill, the water flows down the hill. And I live  
13 down the hill from him. And most of your rivers collect  
14 water from a higher elevation, and it flows down into the  
15 river and off into the ocean. And that water has to come -  
16 - and it collects it along the way. And the natural flow -  
17 - and I have seen charts that show the flow of the water.

18 Q What are you talking about, surface water or  
19 ground water?

20 A Ground water. Also surface water, but ground  
21 water, um -----

22 Q And what's your understanding of what direction it  
23 flows?

24 A My understanding is that it flows from that area  
25 that I was talking about ----

26 Q From Trottiers?

27 A --- from Trottiers, some of it comes down through  
28 my area. But it also goes -- I mean, it depends upon --

1 and I don't know. That's the scary part. I don't know  
2 where that underground water flows; and with  
3 seismographing, with changing of the earth, I don't know  
4 where it comes from. And that's scary for me.

5 Q What's the basis for your testimony that there's  
6 benzene in Trottier's well?

7 A I saw it on one of the reports earlier.

8 Q One of the USGS reports?

9 A Um, I believe when I went to an EPA meeting, there  
10 were some reports there. I can't tell you who produced  
11 that.

12 Q And when you say the Trottier well, do you know  
13 where that well is located or can you show us on Exhibit 1?

14 A (Deponent peruses map.) I guess way over here.

15 Q Would it be this -----

16 A It would have to be like -- yeah, because this  
17 must be -----

18 Q It would be M31 that you're talking about?

19 A Um-hm. (Indicates yes.) And M30. Let's see.  
20 (Deponent confers with her attorney.) Excuse me, it's  
21 probably 31.

22 Q Okay, it's M31 located in the corner of Section 27  
23 on Exhibit 1?

24 A Right.

25 Q Okay.

26 A And, see, that's almost straight east of me.

27 Q Do you have any information or knowledge about  
28 where the benzene comes from in M31? the Trottier well?

1           A     Um, I have suspicions. I have -- it's my belief  
2     it comes from this mesa area right in here in these -- I  
3     mean, there are injection wells in that area.

4           Q     What's the basis for your testimony in that  
5     regard?

6           A     I've looked at maps. I've had discussion with the  
7     EPA people. I've talked to neighbors. I've talked to  
8     Kenny. I'm sorry, Timmy, not Kenny. Um, and as neighbors,  
9     concerns.

10          Q     But you don't know for a fact that it comes from  
11     that mesa area?

12          A     Um, I have very strong suspicions, but, um, can't  
13     say it comes from there. I don't know exactly where the  
14     water flows. I'm not underground. I don't know where it  
15     comes from.

16          Q     Okay.

17          A     Like I said, that's the scary part. I don't know  
18     where it comes from.

19          Q     Are there any other wells that you believe have  
20     benzene in them from the East Poplar field?

21          A     The last report that I saw, Abigail Reddoor, her  
22     benzene was elevated.

23          Q     Do you know which well that is that you're  
24     referring to on Exhibit 1?

25          A     Um. . .

26          Q     If you don't know, that's alright. If you know.  
27     . . .

28          A     I could find it probably. M18.

1 Q So it's your belief that M18 has benzene in it as  
2 well?

3 A Um-hm. (Indicates yes.)

4 Q Is that well water from M18 used currently by  
5 anyone that you're aware of?

6 A Um. . .no, I wouldn't know that. You'd probably  
7 need to ask Abigail.

8 Q Okay. Now, just sort of to summarize on the  
9 sales, you've sold three pieces of property if I understand  
10 your testimony correctly.

11 A I'd also like to note that I did keep a large area  
12 of that land with the hopes of moving back.

13 Q Okay. How much do you still have there, acreage?

14 A A hundred and ten acres, I think I told you.

15 Q Do you know if there are any areas out there in  
16 the East Poplar oil field that do still have good water?

17 A Um, no, I don't. I haven't heard anybody -- and  
18 I haven't talked to Mavis Loegering for, oh, a long, long  
19 time, so I don't know how her water is. But I don't know  
20 of anyone in this area that has good water, no.

21 Q Where does Mavis Loegering live in relation to  
22 either the property you still own or did own?

23 A Okay, she lives to the south, approximately a  
24 quarter of a mile from the residence that I had there.  
25 That would be M32, that well. In fact, I believe it  
26 probably would be M33. Would it be that?

27 Q Mavis Loegering's on M33?

28 A No, it wouldn't be. No, I can't say that for

1 sure. (Confers with her attorney) M33. We would -- she's  
2 the one that we compared with when we lived there, you  
3 know, because we were right next door, basically.

4 Q What do you mean, you compared with?

5 A When the USGS came, you know, when you got the  
6 report. So how did your water turn out?

7 Q And what's your understanding how your water  
8 compared to Loegerings?

9 A It wasn't as good.

10 Q Yours wasn't as good?

11 A It wasn't as good, no. And the last report, it  
12 still -- it was worse than the first report, but it was  
13 still worse than hers. Hers had not -- it had changed, but  
14 not as drastically as mine had. And the last time I saw  
15 her, we didn't discuss water.

16 Q Other than the damages that you've discussed so  
17 far here this morning, are there any other damages that you  
18 claim that have resulted from deterioration of the water?  
19 either personal damages, if you understand what I mean by  
20 that, any adverse health effects, that sort of thing, or  
21 any other property damages or any other types of damages  
22 that you attribute to the water?

23 A Well, I don't know what the future will bring as  
24 far as health. I do know that I have -- I developed fluid  
25 retention while I was there.

26 Q Did you see a doctor about that?

27 A Yes.

28 Q What did he say about it?

1           A     Less salt.     At that time, I didn't use salt  
2 either.     Or add salt, I never have added salt to my  
3 cooking; but we were cooking with the water.     Um, health,  
4 I've already mentioned, the sores on the body -----

5           Q     What doctor did you see?     Excuse me for  
6 interrupting.

7           A     Um, I can't tell you which doctor I saw when I  
8 first started.     At Indian Health, when you go in, you don't  
9 always know which doctor you're going to get, maybe one  
10 that's there for two weeks or, you know, and that.     I try  
11 now to go to Dr. Keval all of the time.     It may have been  
12 Marsha Shannon.     Oh, I can tell you.     It was -- she was a  
13 woman doctor, Michelle Abis.     She's no longer there.     Um,  
14 I have developed high blood pressure.

15          Q     Okay, do you attribute fluid retention or high  
16 blood pressure to the water in the East Poplar oil -----

17          A     I can't say it's wholly from the water, no.     I  
18 also have aged over those -- that period, you know.     My  
19 body's deteriorating, too.     I can attribute the sores to  
20 the water.     It didn't happen when we were someplace else.  
21 My son came home from college for Christmas.     It happened  
22 to him.     When he went back to college, it went away.

23          Q     Are there any medical records that relate or  
24 document sores or any other medical maladies?

25          A     Only those that I talked to you about earlier.

26          Q     That's the -----

27          A     The lotions.

28          Q     The lotion.

1           A     Dr. Arosemena. The other was in discussion with  
2 the doctors, and they would say -- and we don't have a  
3 family history of acne or any of those things. They would  
4 say that they're, you know, peculiar, that you get like a  
5 blister kind of sore. They ask you questions, you know,  
6 have you eaten something different, are you -- you know,  
7 allergy type of things, and it wasn't related there.

8           Q     When was the last time that you used any of the  
9 water out there, either for bathing or drinking or cooking?

10          A     1998. June of -- well, may have been May 31st or  
11 June 2nd. I think June 2, 1998.

12          Q     Have you experienced any of these medical  
13 conditions since that time?

14          A     No, I haven't. Since I left there, I have not  
15 gotten any of those sores, no. None of my family has  
16 gotten any of them.

17          Q     How did you happen to decide to get involved in  
18 this lawsuit?

19          A     Um, like I said, we -- neighbors talk and you  
20 visit and you -----

21          Q     Who'd you talk with?

22          A     I believe Rene Martell.

23          Q     Did he come to you or did you go to him?

24          A     I think Rene called us, and then I talked to Helen  
25 Ricker, and we were going to have a meeting. We were going  
26 to talk about the water and the concerns and cleaning --  
27 you know, see what we could do to -- and we talked about  
28 our water, like I said, at the Laundromat. You know, when



1 are we ever going to get water that we can, you know. . .

2 Q What do you think the remedy is or what do you  
3 think the alternative might be?

4 A Can I tell you what I want?

5 Q Sure.

6 A What I would want is that you could clean up the  
7 water, absolutely clean up my land and my water, and  
8 absolutely guarantee to me that it was safe for my  
9 daughter, my granddaughter to live there. And I don't  
10 think that's possible. I really don't. I don't think that  
11 you can clean that up. And that land is very, very  
12 important. And we're raised to respect our land, not  
13 destroy it. And that's my belief system. I was raised on  
14 the land. And you never did that. And if there was some  
15 kind of knowledge that that was happening or that you'd  
16 heard something, you stopped it. You didn't keep doing it.

17 Q Are you aware of any particular oil companies or  
18 others that have contaminated that area?

19 A I'm aware of the names of companies that have oil  
20 wells there, that have injection wells there. You can  
21 drive past on the road, and you can see them. It's ugly.

22 Q What companies have you heard?

23 A Names? Okay, Murphy Oil, everybody knew Murphy  
24 Oil. Um. . .

25 Q Have you talked to anybody from Murphy Oil about  
26 it?

27 A Um, going up and saying -- I mean, I've talked to  
28 Murphy Oil, but not -- not to say, are you going to, you

1 know, clean up my land or what are you doing to these wells  
2 over here, it's ugly. No, I haven't talked to them.

3 Q Just to make sure I clarify that. Who have you  
4 talked with from Murphy Oil?

5 A Um. . .

6 Q Do you have any names?

7 A Tim Trottier, for one; he worked for Murphy Oil.  
8 And I would express my frustration of what things looked  
9 like and what was happening and my concern. Um. . .I've  
10 always been concerned about injection wells. I've had, um.  
11 . . . I. . .

12 Q What's your concern about injection wells? What's  
13 your -----

14 A My concern with injection wells is when you put  
15 any type of toxic solution or alien solution down into the  
16 ground at high pressures; and when you're using whatever  
17 type of casing you're using, and that's not going to last  
18 forever. And when that pressure comes, it's going to go  
19 out. And where does it go? Does it go on your land or my  
20 land or what water? I've always had concern for the water.

21 Q When you say toxic solutions, what's your  
22 understanding of what's injected into these injection  
23 wells?

24 A I'm not sure what all it is. Um, but it's my  
25 understanding that that's waste, that it's used in the  
26 process of getting oil, but it's not something that you're  
27 going to sell or it's not something you want to keep. You  
28 want to get rid of it, and you want to find a place to put

1 it.

2 Q It's not something that came up from the ground  
3 right there?

4 A I'm not really sure where all of the ingredients  
5 that go down in an injection well -- I'm not sure where  
6 they all come from.

7 Q Other than talking to Tim Trottier of Murphy, have  
8 you talked to any other companies, company personnel?

9 A No.

10 Q Are there any other companies that you're aware of  
11 that operate or have operated out there?

12 A Names of companies? Um, Samson is a name I'm  
13 familiar with or have heard, Mesa, Pioneer.

14 Q What have you heard about Mesa and Pioneer?

15 A I have heard that Mesa has an injection well.

16 Q Do you know where that's supposedly located?

17 A Yes, it's not far from Tim's house, and it's up  
18 above me.

19 Q Have you ever talked to anyone from Mesa?

20 A No, not that I know of. I mean, I may have had a  
21 conversation with someone and they didn't tell me they were  
22 from Mesa.

23 Q Have you ever witnessed the operation of any wells  
24 by Mesa or Pioneer?

25 A I wouldn't know who had -- you know, who had the  
26 wells. I mean, when you're driving by and that, I think  
27 probably the only trucks you ever notice are Halliburton  
28 trucks. They're so obvious, but.

1 Q Have you ever heard anything about a hot water  
2 pipeline that ran from the East Poplar oil field area in  
3 towards the City of Poplar?

4 A No, I'm not really familiar with -- I may have  
5 heard of it, but I'm not familiar with it.

6 MR. ROSS: Just to, I think, rap this up, let's mark this  
7 first of all.

8 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
9 EXHIBIT 16 FOR IDENTIFICATION PURPOSES.)

10 Q (By Mr. Ross) I'll show you what's marked as  
11 Exhibit 16, which is a notice of taking your deposition and  
12 a request for production of documents this morning. Do you  
13 remember seeing that or did you receive that?

14 A (By Deponent) Yes, I'm sure.

15 Q Now, you brought with you this morning some  
16 documents, and we've marked as exhibits some of those.  
17 What I'd like to do is have you go through and identify for  
18 the record the additional documents that you brought with  
19 you this morning, and we'll mark those as exhibits. So I'm  
20 going to let you, if you would, please, pull out the  
21 separate documents that you brought with you this morning.  
22 We'll then mark them as an exhibit and you can briefly tell  
23 us what your understanding of what they are, okay?

24 A Okay. These are letters -----

25 Q Okay, first of all, let's mark this one as Exhibit  
26 17, and if you'd just explain to us what that is.

27 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
28 EXHIBIT 17 FOR IDENTIFICATION PURPOSES.)

1           A     (By Deponent) It's just a letter from the USDA,  
2     which is the United States Department of Agriculture, the  
3     Farm Service Agency; and it's just some information I  
4     received on programs and production and production yield.

5           Q     (By Mr. Ross) How does that relate to the water  
6     issues or claims, if at all, in this lawsuit in your -----

7           A     Basically, it just shows that I'm involved in the  
8     FSA and the farm programs and that we have worked to try  
9     and keep abreast of things that will help us with  
10    production or with keeping the land in good repair.

11          Q     If we wanted to talk to someone with the FSA or  
12    other governmental agencies or Tribal agencies about the  
13    soil or production in the East Poplar area, who would we  
14    talk to and where are they located? Do you have any  
15    thoughts on that?

16          A     Roosevelt County has theirs in Culbertson. It's  
17    the FSA building -- USDA building, and Carol Ritter-Fellman  
18    is the person.

19          Q     To your knowledge, have the FSA looked into the  
20    issue of whether there's any effect of the contamination in  
21    the East Poplar oil field on crop production? You know,  
22    whether they've looked into that issue at all?

23          A     No, I don't.

24          Q     Okay, let's proceed with the next document that  
25    you brought.

26          A     This is also from the USDA, FSA division.

27          Q     Okay, let's mark that as an exhibit. Okay, we'll  
28    mark that as Exhibit 18, and what's your understanding of

1 what that shows?

2 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
3 EXHIBIT 18 FOR IDENTIFICATION PURPOSES.)

4 A (By Deponent) This is just information on the  
5 farm program and the different tracts that are in that  
6 area.

7 Q (By Mr. Ross) Do you think Exhibit 18 relates to  
8 any of the issues or claims in this lawsuit that we're  
9 involved in?

10 A It might possibly show a basis of yield.

11 Q Okay, what is the basic yield? Do you have any  
12 thoughts on that? What basic -- now I understand that  
13 that's going to vary from year to year and weather and  
14 whatever else, but do you have any knowledge about crop  
15 production in this area?

16 A I would say from 36 to 20. I believe it says even  
17 23 on one part there. And it says 36 in one area.

18 Q Twenty-three or 36, what? Bushels to the acre?  
19 That sort of a -----

20 A Yeah, bushels per acre, depending upon what type  
21 of crop is planted. But my last year crop was 7 bushels to  
22 the acre.

23 Q Okay. I know we talked a little bit about that  
24 production last year of 7 bushels. Did you talk to anybody  
25 about that production last year?

26 A I talked to the Farm Service agent, and -----

27 Q And what's that person's name?

28 A I can't tell you which one I talked to. There's

1 several there, but I expressed my concern at only seven  
2 bushels to the acre. And she said that that property has  
3 never produced that low.

4 Q Did she have any opinion as to why it was low last  
5 year?

6 A Well, she said, where else was any grain  
7 delivered? But it was only delivered to the one elevator.  
8 And she couldn't imagine what had happened because he had  
9 followed the farm program.

10 Q Did she attribute any of the small production to  
11 the water problems involved in this lawsuit?

12 A She didn't verbalize on anything like that.  
13 That's not her position to do that.

14 Q Okay, what other documents did you bring this  
15 morning?

16 A I brought maps.

17 Q Okay, are these maps separate maps or are they  
18 tied in together?

19 A They're separate maps.

20 Q Okay, let's mark them separate exhibits then.

21 A You probably don't need all of them.

22 Q Well, let's go ahead and mark them, and we'll just  
23 ask what they are.

24 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
25 EXHIBIT 19 FOR IDENTIFICATION PURPOSES.)

26 Q (By Mr. Ross) I'll show you what's been marked as  
27 Exhibit 19 and ask for you to describe that, please.

28 A (By Deponent) This is just an aerial view of the

1 farmland and also the Poplar river along the west side of  
2 the map.

3 Q And this shows what, the land that you own and  
4 have owned?

5 A Yes.

6 Q And who took that photograph?

7 A I can't tell you who took it, but it was taken for  
8 the Farm Service Agency; and I received it from them.

9 Q Okay. Let's mark this one, too.

10 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
11 EXHIBIT 20 FOR IDENTIFICATION PURPOSES.)

12 A (By Deponent) And that is marked 2001. I just  
13 received that.

14 Q (By Mr. Ross) Okay, and I've marked it as  
15 Exhibit 20, and that, again, is an aerial map of the land  
16 that you own in the East Poplar oil field?

17 A Yes, it is.

18 Q Other than just showing the location of your land,  
19 does it have any other relationship to the issues in this  
20 lawsuit?

21 A It does show that or indicate that I'm  
22 summerfallowing this year other than -----

23 Q In Section -- what section are you summerfallow?

24 A This would be Section 28. This part is ----

25 Q In Section 28, okay.

26 A --- and then that one. --- 17-27.

27 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
28 EXHIBIT 21 FOR IDENTIFICATION PURPOSES.)



1 Q (By Mr. Ross) We've marked as Exhibit 21 another  
2 document and if you would tell us what that is, please.

3 A (By Deponent) This is the farm program that I'm  
4 signed up for with the Farm Service Agency, and it  
5 indicates also that I am summerfallowing this year.

6 Q Do you get any compensation?

7 A Approximately \$148 a year.

8 Q And that's per what?

9 A That would be for all of the land that I put in  
10 the program, which would be approximately 85 acres.

11 Q So you put approximately 85 acres in and you get  
12 a hundred and forty -----

13 A Forty-eight dollars.

14 Q Forty-eight dollars. And that's when you put it  
15 into summerfallow?

16 A That's the farm payment, whether it was in  
17 summerfallow or whether it was cropped. It would be the  
18 same. It's whatever the program is for that year depending  
19 upon Congress.

20 Q Okay, and what other documents do we have?

21 A This is a map.

22 Q Okay, let's mark that ----

23 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
24 EXHIBIT 22 FOR IDENTIFICATION PURPOSES.)

25 Q (By Mr. Ross) --- as Exhibit 22. And what does  
26 Exhibit 22 show?

27 A (By Deponent) It says Bleazard subdivision  
28 number 1, and it indicates the area where our residence

1 was, and the ten acres that were sold to Roman and Joan  
2 Hendrickson, and that is where M32 well is.

3 Q Was this done in conjunction with the sale to  
4 Hendrickson?

5 A Yes, it was. And it tells a little information on  
6 the well.

7 Q How deep is M32, do you know? If you don't know  
8 off the top of your -----

9 A Fifty -- I believe it's fifty feet.

10 Q Okay. And maybe this is already on the record or  
11 on some of the documents, but when was M32 drilled and by  
12 whom?

13 A In 1992 we drilled right near where the well had  
14 been prior to that; but we had to put new casing in, so we  
15 decided just to drill a well right next to it rather than  
16 remove the old casing. And it was a company out of  
17 Plentywood. I can't tell you the name off hand.

18 Q Did you go to the same depth as the previous well  
19 had been?

20 A No, we went deeper.

21 Q How was the previous well in that area?

22 A It was wonderful. I mean, you just went -- we had  
23 one of those hand pumps and then it could also be hooked up  
24 to a -- I had a motor also. But when we'd come up from  
25 down in the river or at the garden and you'd just pump it  
26 and just drink it, it was cold and good and -- it was  
27 good. (Peruses document) This has to do with -----

28 Q Excuse me, let's mark that.

1 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
2 EXHIBIT 23 FOR IDENTIFICATION PURPOSES.)

3 Q (By Mr. Ross) I'll show you what's marked 23 and  
4 ask if you can explain what that is, please.

5 A (By Deponent) This is a copy of the settlement  
6 statement for the sale of our house. I settled for  
7 \$80,000.

8 Q And that's the sale to Hendrickson?

9 A Hendrickson, yes. I'm still collecting this.

10 Q Okay, and we'll mark this one.

11 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
12 EXHIBIT 24 FOR IDENTIFICATION PURPOSES.)

13 Q (By Mr. Ross) I'll show you what's been marked as  
14 Exhibit 24. What's that, please?

15 A (By Deponent) A satisfaction of the mortgage. We  
16 paid off the mortgage on that house when we sold it.

17 Q How much was owed on it when you -- at that time?

18 A I believe \$60,000.

19 Q Was the mortgage up to date when you sold it?

20 A Um-hm. (Indicates yes.)

21 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
22 EXHIBIT 25 FOR IDENTIFICATION PURPOSES.)

23 Q (By Mr. Ross) I'll show you Exhibit 25 and  
24 explain that, please.

25 A (By Deponent) Okay, this was the original loan  
26 that we got to purchase our house and move it in and begin  
27 re-building. It's a mortgage.

28 Q That's what you paid off when you sold it?

1 A Right.

2 Q Okay, other than those documents -- let's go off  
3 the record for a minute.

4 (OFF THE RECORD FOR A FEW MOMENTS.)

5 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
6 EXHIBIT 26 FOR THE RECORD.)

7 Q (By Mr. Ross) We're back on the record. I'll  
8 show you what's been marked as Exhibit 26, and if you can  
9 explain that to us, please.

10 A (By Deponent) It's a copy of the bottle, the  
11 prescription that I received for the sores that were coming  
12 on our head.

13 Q And those are all the documents you brought with  
14 you today?

15 A Yes.

16 MR. ROSS: I have no further questions. Thank you.

17 EXAMINATION BY MR. STERUP:

18 Q Ms. Bleazard, my name is Rob Sterup. I represent  
19 Samson Hydrocarbons. I want to see if I can understand a  
20 bit more clearly the circumstances of your move to the  
21 family farm. You moved to the family farm around well M32  
22 in 1993, is that accurate?

23 A 1992.

24 Q What month in 1992?

25 A March, I believe. I believe about March. We  
26 moved the house in December, and I'm thinking it was about  
27 March.

28 Q You moved the house onto the property in December,

1 1992?

2 A Yes.

3 Q But you had moved onto the property earlier in  
4 March of 1992?

5 A No, I'm sorry. December of 1991 we moved the  
6 house.

7 Q The mortgage -- this may help you -----

8 A In December of 1992 we moved the house, and we  
9 moved in in March of '93.

10 Q Now, where had you been living before that time?

11 A We had lived in Glasgow; and when we moved to  
12 Poplar, we moved to the Gateway apartments because the  
13 house that had been on that property for all those years  
14 was not liveable.

15 Q And the reason for the move from Glasgow to  
16 Poplar, I take it, was because you inherited the family  
17 farm in 1992?

18 A I can't tell you the exact year. I inherited it,  
19 but I inherited about that time or my mother just  
20 transferred it to me. And we wanted to move back to the  
21 farm and, um. . .move there.

22 Q So you didn't actually pay anything for the farm,  
23 rather that was an inheritance or gift from your mother,  
24 correct?

25 A Yes, it was.

26 Q The house that was moved onto the property, the  
27 family farm, in 1992, in about December, where did that  
28 house come from?

1           A     From the former Glasgow Air Force base. It was a  
2 duplex which was a part of a four-plex, and we took half of  
3 that four-plex. And we moved it and remodeled it into a  
4 single residence.

5           Q     And the price that you paid as reflected in the  
6 mortgage, one of our exhibits, to acquire that residence  
7 and to move it into the family farm, the price was about  
8 \$60,000, is that accurate?

9           A     Yes.

10          Q     Now, at the time you moved to the family farm in  
11 about March of 1993, the well that you used, M32, had it  
12 been constructed or was it to be constructed? Where did  
13 things stand?

14          A     It had -- we didn't move in without water. It was  
15 there.

16          Q     So the well was there. M32 was operational before  
17 you moved to the property in March of 1993?

18          A     Yes.

19          Q     Did you conduct any investigation of the water  
20 quality on the family farm before moving back to the  
21 property in March of 1993?

22          A     No.

23          Q     Did you have any concerns about the water quality  
24 on the family farm at that time?

25          A     No.

26          Q     When you moved to the family farm in March 1993,  
27 were you and your family able to consume the water for  
28 drinking purposes?

1 A Yes.

2 Q Who was living at the residence at that time?

3 A In 1993, there was my daughter, Erica. She would  
4 have been 15 approximately. My son, David, who would have  
5 been -- he was born in '81. My husband Ross and myself.

6 Q Do you know Denise Grainger?

7 A Yes.

8 Q What is your relationship with Denise Grainger?

9 A She's my cousin.

10 Q How far is her place from your former place, the  
11 family farm?

12 A A mile.

13 Q Before deciding to move a residence onto the  
14 family farm in 1993, did you have any discussions with  
15 Denise Grainger about water quality?

16 A No.

17 Q Never spoke with her about it at all?

18 A No.

19 Q Do you know either Abigail or Irma Reddoor?

20 A Yes.

21 Q Are you related to either of them?

22 A Um, not that I know of.

23 Q How far do they live from the family farm?

24 A I believe Abigail lives in town now, and Irma; but  
25 prior to her moving, she lived, oh, probably three miles,  
26 four miles away. Not far.

27 Q And before moving a residence onto the family farm  
28 in 1993, did you have any discussions with either of the

1 Reddoors about water quality?

2 A No.

3 Q Now, you said in response to some of Mr. Ross'  
4 questions that at various points you talked to your  
5 neighbors and developed some real concerns about water  
6 quality. I take it you developed those concerns certainly  
7 by 1994 when you testified you were having to haul laundry  
8 into town to wash it?

9 A Um, a lot of that at that time, you're familiar  
10 with the water was hard before, um, and after the clothes,  
11 you know, kind of started changing color and, um, there's -  
12 - it's hard to describe, but there was like almost a film  
13 at times. They didn't feel clean, and you just kind of  
14 wonder about the water and you get frustrated, you know,  
15 but you don't -- you don't run around right away and say,  
16 oh, do you think something's wrong with our water, or --  
17 you don't do that right away.

18 Q You told Mr. Ross that you started hauling laundry  
19 to town in 1994, you started noticing film in '94, perhaps  
20 early '95. I take it by that point you had started to  
21 develop some concerns about the water quality?

22 A Actually, at that point, I was probably just still  
23 getting frustrated because I was having to clean the  
24 toilets more, and I can't say that -- when I really started  
25 developing the concerns was when we started getting sores.  
26 That was a real -- that was really a concern. When you  
27 start seeing visible things on your body, then you get --  
28 you really get worried.



1 Q When did that condition develop?

2 A Prior to -- it had to be in 1996.

3 Q Sometime in 1996? Earlier in the year, later in  
4 the year?

5 A I would think early in the year. It was long  
6 before my son's accident, which was in December of '96.

7 Q Did you treat -- strike that. Were you at least  
8 suspicious at that time the oil field activities were or  
9 may have been the source of water contamination problems?

10 A Um, you begin wondering what could be the source.  
11 And, um, possibly, yeah.

12 Q Is it the case that from the time you and your  
13 family first moved to the property in March of 1993, you  
14 never used the water from M32 for drinking purposes?

15 A No, there were times that we used it to drink. We  
16 also purchased water, but there were times when you just  
17 come in because you're used to being able to just turn on  
18 your faucet and getting a drink of water. But most of the  
19 time, we purchased water.

20 Q I want to show you a document that I won't copy.  
21 These are plaintiff's answers to Murphy Exploration and  
22 Production Company's first interrogatories. On page 28,  
23 there is a discussion of you and your family. Beginning  
24 with the first full paragraph, it's stated that in 1993 she  
25 and her family moved onto the property. They were told the  
26 water was safe to drink, and they believed they were told  
27 that by the Jana Well Company in Plentywood, who drilled  
28 the well. Mrs. Bleazard will provide additional

1 confirmation of that fact when it is received. At that  
2 time, however, the water had a sulphury odor and the  
3 Bleazards did not use it for drinking except that her  
4 husband did once in a while. Is that an accurate  
5 recitation of the facts?

6 A Yes, it is.

7 Q So, aside from your husband using it once in a  
8 while, you and your family never used the water from M32  
9 for drinking purposes?

10 A No.

11 Q Is that correct?

12 A Unless the kids once in a while came in, and I  
13 didn't catch them.

14 Q The Jana Well Company of Plentywood, do you recall  
15 had you spoke with anyone about water quality from that  
16 company before you moved the residence onto the property in  
17 1992-1993?

18 A Ah, no, because the house was there before they  
19 dug the well.

20 Q So you and your family made the decision to move  
21 the house onto the property even before M32 was dug?

22 A Um-hm. (Indicates yes.)

23 Q And the house had been moved and that money had  
24 been expended even before you had any results from M32?

25 A Yes, Um-hm.

26 Q Do you recall who it was at Jana Well Company that  
27 may have told you they thought the water was safe to drink?

28 A The only people that I talked to from Jana Well

1 Company was the receptionist, who called and asked them if  
2 they could drill the well at the time, and the man that  
3 drilled the well. I believe there were two men. And the -  
4 - you know, he didn't run any tests right there on the  
5 water.

6 Q I take it you don't -----

7 A I think he drank it -- drank some of it.

8 Q I take it you don't recall the names of the folks?

9 A No, I don't. That was a long time ago. I saw  
10 them one day or two days when they drilled the well.

11 Q What was it about the water quality from M32 that  
12 caused you and your family to decide not to consume that  
13 water from the time you first moved out to the property?  
14 Was it the smell? What was it about the water?

15 A Um, the smell. Just -- and we -- mostly the  
16 smell.

17 Q How about the taste? Was there anything different  
18 or unusual about the taste, again focusing on when you  
19 first moved to the property in March of '93?

20 A A little saltier than I remembered the water, you  
21 know, when we had been there with Grandma. That was such  
22 good water, you know. And we -- I really didn't have a  
23 concern about the water when we first moved there because  
24 it had always been so good. There was never an issue. And  
25 when people come from miles to get the water and drink it,  
26 you don't think about it.

27 Q When you sold the house to Dr. Hendrickson in  
28 1998, you told him that the water could not be consumed?

1 A Um-hm.

2 Q Correct?

3 A Yes.

4 Q And when you and your family moved onto the  
5 property in 1993, you also made a decision that the water  
6 would not be consumed, correct?

7 A Um-hm.

8 Q Is that a yes?

9 A Yes.

10 Q Have you ever spoken with anyone from either Grace  
11 Petroleum or Samson Hydrocarbons Company that you know of?

12 A Not that I know of.

13 MR. STERUP: Thank you. I have nothing further.

14 EXAMINATION BY MR. FAGAN:

15 Q Laura, I'm Gerry Fagan from -- I'm representing  
16 Marathon Oil. I just want to clear up one thing that  
17 confused me. Did you sell the property with the house for  
18 \$80,000 or for \$70,000?

19 A Eighty thousand. I said seventy before; but when  
20 I looked at the paper, it said \$80,000. And I'm collecting  
21 the last ten.

22 Q I thought I heard you say that when you were going  
23 through the documents. And the Jana Well Company, when  
24 they drilled the well, I take it they actually didn't do a  
25 sample or a test of it other than a taste test. Is that  
26 right?

27 A I don't believe they -----

28 Q As far as you guys know.

1 A I can check with them.

2 Q Is it my understanding that Justin never lived on  
3 the property near M32?

4 A He was in college. He went to college in 1991,  
5 and he came home in the summers.

6 Q So other than summers, he never -----

7 A Other than summers and vacations, no.

8 Q And how long -- how many years did Erica live on  
9 that property?

10 A Until 1998 when we left -- and same with David, we  
11 all left at the same time, same day.

12 Q Okay, so David and Erica lived with you and your  
13 husband the whole time that you lived on that property?

14 A Yes. Um-hm.

15 Q When you decided to sell the house, how long of a  
16 time was it on the market until you sold it?

17 A We started talking about it in like January. We  
18 had earlier talked about it and had an auction or put up an  
19 auction on certain parts of our land, and it didn't work.  
20 And so then when we started talking about selling the  
21 house, I believe it was about January '98, and then started  
22 pursuing it in the spring, and then Dr. Hendrickson knocked  
23 on the door.

24 Q At what time was that?

25 A Um, I'm thinking the end of April or the first of  
26 May.

27 Q So you tried to auction off the property?

28 A Some of the property.

1 Q The property including the house?

2 A I believe we had the house, um-hm.

3 Q That was sometime prior to January of '98?

4 A Yes, it was.

5 Q About what time?

6 A I think it was in November. I think it was  
7 November of '97.

8 Q So you advertised there was going to be a public  
9 sale?

10 A Um-hm. (Indicates yes.)

11 Q Did you have anybody show up?

12 A Two people, I think.

13 Q Did you actually have an auction then or take  
14 bids?

15 A They kind of went through the process, but there  
16 wasn't any interest. And then we sold the land privately.

17 Q Was this the land with the house that  
18 Dr. Hendrickson bought that we're talking about or?

19 A Um, the farmland, the 180 acres. I had forgotten  
20 about the auction.

21 Q So you were trying to auction off several  
22 different pieces of property?

23 A Yes.

24 Q One of those pieces was the property at the house?

25 A Yes. We had like different like A, B -- 1, 2, 3,  
26 4 lot type of thing, and then we reserved the right to not  
27 sell anything.

28 Q Did you have a minimum bid?

1 A Yes, we did.

2 Q What was that for the property of the house?

3 A I'm thinking the property with the house was over  
4 a hundred thousand dollars.

5 Q And so, I take it, you never had that auction  
6 because no one met the minimum bid, is that what happened?

7 A Right.

8 Q You said you did run some ads?

9 A The auction company did, yes.

10 Q And in the local newspaper or -----

11 A One in the local newspaper, and they had some  
12 flyers that they put out.

13 Q Do you have copies of any of those ads or flyers  
14 available?

15 A I don't think so unless the auction company kept  
16 them.

17 Q Would you be willing to look through your stuff  
18 and see if you did ----

19 A Sure.

20 Q --- and provide them to Mr. Dolan?

21 A Um-hm.

22 Q What was the name of the auction company, do you  
23 recall?

24 A R-K, Rick Kniepkamp.

25 Q Is that in Wolf Point?

26 A No, it's in Circle -- Lindsay area.

27 Q You talked earlier about some farmland that sold  
28 near your farmland that sold for \$580 an acre.

1 A Yes.

2 Q Now, was that bought by the Lockmans or sold by  
3 the Lockmans?

4 A Sold by the Lockmans. There was a death in the  
5 family, and some of the children did not want to keep the  
6 land, and so they sold it.

7 Q What kind of land is that?

8 A It's farmland.

9 Q Is it irrigated?

10 A No.

11 Q Dryland?

12 A Dryland.

13 Q Do you know what they raised on it?

14 A I believe wheat -- wheat or barley, but I would  
15 think wheat.

16 Q Did they sell it to a relative or do you know?

17 A No, I don't believe so.

18 Q When Dr. Hendrickson was looking at your house,  
19 was he concerned at all about the water?

20 A Ah, no, he was more concerned about finding a  
21 place for his family to live in a short period of time, and  
22 he said that was okay because they buy their water, anyway.

23 Q So -- because I think there was a time period from  
24 when the time he bought the house to when the EPA started  
25 providing water, ----

26 A Yes, there was.

27 Q --- which he didn't have water, right? Other than  
28 the water from M32?



1 A I'm sure he purchased water.

2 Q That's how he got his water?

3 A I'm -- I wasn't in his house at that time, but my  
4 recommendation to him was to purchase water.

5 Q That didn't cause him any concern about buying the  
6 property?

7 A No, his big concern was finding a place for his  
8 family to live, and there were not many places available.

9 Q So I think you said, he always bought his drinking  
10 water, anyway?

11 A Yes.

12 Q So he figured he'd just move on the property,  
13 continue doing what he'd been doing?

14 A Right.

15 Q Do you know what kind of doctor he is?

16 A Um, he's at -- I think he specializes some in the  
17 elderly. I believe he would be possibly chief of staff at  
18 IHS right now, and so he sees a variety of patients; but I  
19 believe he prefers geriatrics.

20 Q Did you mention at all your concerns about benzene  
21 in the local water to him?

22 A Um, no. I told him I didn't know what was in the  
23 water. I was honest about that we had gotten sores. I  
24 told him he would have to take his laundry elsewhere. His  
25 wife would have to clean the toilets and the sinks much  
26 more often, and I was honest about the plumbing that it  
27 would be eaten away.

28 Q I think you testified earlier that you offered

1 \$80,000 to him and you finally settled on seventy. So  
2 since you changed your mind about the sales price, do you  
3 know how the negotiations went?

4 A He came and he said if I would settle for seventy,  
5 I believe at the time, and would take payments over a five  
6 year period, that he would pay the additional. And so we  
7 have a second mortgage, and we receive \$250 a month.

8 Q With him?

9 A With him.

10 Q Okay. This is a pretty innocent question, but is  
11 it Ken Hull, H-U-L-L, or Ken Hall, H-A-L-L?

12 A H-U-L-L.

13 Q I thought yesterday people were saying Ken Hall,  
14 so.

15 A I think most people do say Hall, but it's actually  
16 Hull.

17 Q The grazing land that was sold near the river to  
18 O'Connor, have you ever heard any complaints about water  
19 problems from him?

20 A I haven't really seen Dunn since I sold it except  
21 a couple times on the street, and he asked me about an  
22 additional ten acres that I hadn't sold him, if I was  
23 interested in selling that. He'd like to tie it in. And  
24 other than that, our conversation has been, hello, how are  
25 you, kind of thing.

26 Q How about Dr. Hendrickson? Do you talk to him  
27 anymore?

28 A Um-hm. I see him at IHS and I work with him with

1 Head Start.

2 Q Has he ever made any complaints about the water?

3 A We've never really talked about the water.

4 Q Have you heard about sores on his body or his  
5 family's body?

6 A No, and I haven't asked.

7 Q Hasn't come up?

8 A No.

9 Q Sounds like you're knowledgeable about injection  
10 wells?

11 A Only a little bit.

12 Q How did you learn about those?

13 A Um, I have concerns about the environment and  
14 concerns about injection wells or what is done with waste  
15 or, um, I also have con -- My father-in-law was in a  
16 business where they evaporated off the water, the waste  
17 water, rather than injection wells, and so we've had some  
18 discussion about that.

19 Q Did you do some research on your own or read up on  
20 it or?

21 A Um, no.

22 Q Talked to people about it?

23 A I've talked to my husband and my son and my  
24 father-in-law and my father, that kind of thing.

25 Q Just driving by, you can recognize injection wells  
26 as opposed to a producing well?

27 A I'm not sure I could, no.

28 Q Okay, I thought you said earlier you could.

1 A No, I just said that, when you drive by, you don't  
2 know, you know, exactly what's going on there except that  
3 it kind of makes it ugly.

4 Q Now, you're talking about any well or just a  
5 particular injection well?

6 A Um, well, sometimes there's trash and things that  
7 are dumped, and I'm -- you know, like there's like big  
8 spills. I can't tell you what the spills are. Um, and  
9 lots of times there's, you know, like a bucket thrown here  
10 or pipe thrown off someplace or, ah -- it doesn't make it  
11 very attractive.

12 Q But these are just wells in general, not ----

13 A Um-hm.

14 Q --- any particular injection well?

15 A I couldn't drive by and say, this is an oil well  
16 or this is something else.

17 Q Are you aware of any injection wells that are  
18 around the property M32 specifically?

19 A I believe there's one, and I stated that earlier,  
20 near Tim Trottier's residence.

21 Q And how do you know that's an injection well?

22 A Discussion, ----

23 Q With who?

24 A --- conversation. Um, people in our group, um ---  
25 --

26 Q The group being of plaintiffs?

27 A Plaintiffs. Tim Trottier, Herman Pipe.

28 Q And how far back do these discussions go? How

1 many years ago?

2 A Oh, can't remember the first time I talked to  
3 Timmy about it. Um, probably '97.

4 Q When you took out the mortgage for \$60,000, that  
5 was to move the house and to remodel it?

6 A Um-hm. (Indicates yes.)

7 Q Did you put any additional money into it?

8 A Um-hm. Oh, yeah.

9 Q How much additional do you think you put into it?

10 A If I were to answer that, I'd probably say a lot  
11 more than my husband, but, um, I would say probably forty,  
12 fif -- \$40,000, at least.

13 Q This is actual cash that you put into it or?

14 A Um-hm. (Indicates yes.)

15 Q Do you have documentation for any of those kinds  
16 of expenses?

17 A I don't know if I have receipts anymore.

18 Q What kind of things are you talking about?

19 A Um-m.

20 Q Did you hire a crew to come in and remodel it or?

21 A No, we hired -- my husband did most of it, and  
22 then we hired one person to come in and help him. And then  
23 we also planted lawn and re-planted lawn, we moved trees,  
24 and, you know, that kind of thing to landscape.

25 Q The additional forty to fifty thousand, was that  
26 primarily materials?

27 A Yeah, not labor.

28 Q Including landscaping and those kind of things?

1           A     Yes. Even the trees, we tried bringing even trees  
2     like from the river area that were natural to that and  
3     bring them up.

4           Q     Have you ever talked with any employee of Marathon  
5     Oil?

6           A     Not that I know of.

7           Q     Or Texas Oil and Gas?

8           A     Not that I know of.

9           Q     Are you aware of any of their wells?

10          A     No.

11     MR. FAGAN: I have no further questions. Thanks.

12     (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN  
13     CONCLUDED AT 10:28 A.M.)  
14  
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CERTIFICATE

STATE OF MONTANA                    )  
  : ss.  
COUNTY OF ROOSEVELT                )

I, JOANN D. HESER, Official Court Reporter, Fifteenth Judicial District, and a Notary Public duly qualified in and for the State of Montana, hereby certify there came before me the deponent herein, namely LAURA BLEAZARD, who was by me duly sworn to testify to the truth and nothing but the truth concerning the matters in this cause.

I further certify that I was the Official Court Reporter who reported, by means of LANIER recorder, this deposition. The testimony therein and other proceedings herein contained are a true and correct transcription of the original tapes and my notes, TO THE BEST OF MY ABILITY.

I further certify that I am not related in any manner to any party, witness, or counsel and have no financial or other interest in the outcome of the above entitled cause.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal this 26th day of June, 2001.

---

Joann D. Heser  
NOTARY PUBLIC

My Comm. exp. 7/2/2004

DEPONENT'S CERTIFICATE

I, LAURA BLEAZARD, do hereby certify that I have read the foregoing transcript of my testimony and that the same is a full, true and correct record of my deposition except as to any corrections I have listed on the Corrections to Deposition form.

\_\_\_\_\_ Changes and corrections made.

\_\_\_\_\_ No changes or corrections made.

\_\_\_\_\_  
LAURA BLEAZARD

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
NOTARY PUBLIC for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_







IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

CARY G. YOUPEE, et al.,

Plaintiffs,

vs.

MURPHY OIL USA, INC., et al.,

Defendants.

Cause No. CV 98-108-BLG-JDS

Judge Jack D. Shanstrom

MESA PETROLEUM and PIONEER  
NATURAL RESOURCES, USA, INC.,

Defendants/  
Third Party Plaintiffs &  
Cross Plaintiffs,

vs.

AMARCO RESOURCES CORP.  
BESTWAY INC.; WESTDALE  
PETROLEUM INC.; and THE  
PRUDENTIAL GROUP,

Third Party Defendants,

vs.

JOHN DOES 4-50,

Cross-Defendants.

TIME: Tuesday, June 12, 2001 at 8:10 a.m.

PLACE: Sherman Motor Inn, 200 East Main, Wolf Point, MT

DEPOSITION

OF

LAURA BLEAZARD

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OTHERS PRESENT:

Ross Bleazard

BE IT REMEMBERED: That the oral deposition of LAURA BLEAZARD was taken at 8:10 a.m. on the 12th day of June, 2001 at the Sherman Motor Inn, 200 East Main, Wolf Point, Montana, with the appearances of counsel hereinbefore noted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana.

The following proceedings were had:

Whereupon,

LAURA BLEAZARD,

called for examination, and being first duly sworn upon her oath, testified as follows:

EXAMINATION BY MR. ROSS:

Q My name is John Ross. I'm a lawyer that represents Pioneer Natural Resources, one of the defendants in this case. Have you ever had your deposition taken before?

A No, I haven't.

Q You understand the process that you're under oath and you're to answer questions as truthfully and accurately as you can?

A Yes.

Q And you understand that a record is being made of this deposition so you have to answer audibly so the Court Reporter can take down my questions and your answers.

A Right. I sat in on one before.

Q Okay. I want to ask you first a few background questions. When and where were you born?

Page 5

Page 7

1 A I was born in Wolf Point, February 19, 1950.  
 2 Q Are you a member of the Tribe?  
 3 A Not in Poplar. I'm Ogalala Sioux from Pine Ridge,  
 4 South Dakota. I'm not enrolled because of a residency  
 5 clause that they have, and I did not live there.  
 6 Q What's your educational background?  
 7 A I was a HomeEc major in college but changed to  
 8 education. I have three classes left to complete that. I  
 9 now work for Fort Peck Head Start for the Fort Peck Tribes,  
 10 and am health disabilities specialist.  
 11 Q Where did you go to college?  
 12 A I went at MSU, Bozeman, and Salt Lake City, the  
 13 University of Utah, and also it's now University of Great  
 14 Falls, but at the time it was the College of Great Falls.  
 15 And I've also taken a few classes from Fort Peck College.  
 16 Q What jobs have you had other than the ones you've  
 17 just mentioned. Have you done other things?  
 18 A I worked in social services for a church in  
 19 Glasgow, and I worked for the Poplar school system in  
 20 Poplar for several years.  
 21 Q Are you married?  
 22 A Yes, I am.  
 23 Q Do you have children?  
 24 A I do.  
 25 Q Who lives with you? Do they live with you?  
 26 A I have one son that lives with me, David. He's  
 27 19. I have a daughter that lives in Poplar now, Erica.  
 28 She's married to Freedom Crawford. They have one child.

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1 And this is my grandchild, Lauren. And I have a son,  
 2 Justin, that is completing his Master's in Engineering at  
 3 Montana State University in Bozeman and will be going to  
 4 work for British Petroleum next month.  
 5 Q Have you lived in this area, meaning Poplar-Wolf  
 6 Point, most all of your life?  
 7 A No, I grew up in Circle; and after I married, I  
 8 spent a short time in Utah and then lived in Bozeman. Then  
 9 we moved back to Circle, and then moved to Glasgow, and in  
 10 1990 we moved to Poplar. And it's at that time we moved to  
 11 the farm. We moved a house in and we moved to the family  
 12 farm in Poplar.  
 13 Q When you say family farm, when did you acquire the  
 14 family farm? What's the history of the family farm?  
 15 A My grandmother, who was an Ogalala Sioux, married  
 16 Frank Sears, who was a Tribal member of the Fort Peck  
 17 Assiniboine-Sioux Tribe in Poplar. They had one daughter,  
 18 and they received allotted land; and upon their death, my  
 19 grandmother inherited that land.  
 20 Q What was your grandmother's name?  
 21 A Josephine Janis Sears Grainger.  
 22 Q Are you related to the Plaintiffs Trivian Grainger  
 23 and Denise Grainger?  
 24 A Um, Trivian was married to my cousin and her  
 25 daughter is Denise. So we're cousins.  
 26 Q So just to make sure I understand how long you've  
 27 been there. You came back here in 1990?  
 28 A Yes.

1 Q But before that, what time did you spend in the  
 2 area?  
 3 A A lot of time. My grandparents were there, and we  
 4 spent a lot of time there. I learned to swim there ----  
 5 Q When you say there, you're referring to?  
 6 A The family farm in Poplar or north of Poplar.  
 7 Q Where did you swim? in the Poplar river?  
 8 A Yes, we used to. That's where I learned to swim.  
 9 Q You know, I grew up and learned how to swim in a  
 10 river, too, so I understand that. In front of you is what  
 11 is marked as Exhibit 1, which is this map; and I'd like for  
 12 you, if you would, to take this pen and write your name  
 13 where your property is located, if you can.  
 14 MR. DOLAN: I'm going to clarify with Ms. Bleazard. There  
 15 is -- they own various pieces of ground. I assume we're  
 16 talking about the 40, is it a 40 that was sold where well  
 17 M32 is?  
 18 A (By Deponent) Ten acres.  
 19 MR. DOLAN: Ten acres.  
 20 Q (By Mr. Ross) And that's where you live?  
 21 A (By Deponent) Where we lived, unhunh. (Indicates  
 22 yes.)  
 23 Q Let's start with that. Let's start with the ten  
 24 acres where you currently live.  
 25 MR. DOLAN: No, it's not where you currently live.  
 26 A (By Deponent) No. But it's right where we did  
 27 live.  
 28 MR. DOLAN: Where they lived.

1 Q (By Mr. Ross) Okay, when did you live there?  
 2 A (By Deponent) We lived there from 1992 until  
 3 1998.  
 4 Q Okay. Why don't you write your name right there,  
 5 and that's by -- let the record show that's by M32, is that  
 6 correct?  
 7 A Unhunh. (Deponent indicates yes.)  
 8 Q Okay, you lived there from '92 to '98, did you  
 9 say?  
 10 A Yes.  
 11 Q Okay. What other land do you have that might be  
 12 shown on Exhibit 1?  
 13 A Okay, I had land east of there, farmland, and ----  
 14 -  
 15 Q Okay, that still in Section 29?  
 16 A Some of it, yes. I had land ----  
 17 Q How much do you have? How much acreage?  
 18 A Okay. Um, right now I have thirty acres in that  
 19 area. I sold off 80 additional acres to the west of that.  
 20 And in Section 20 I have 80 acres and I sold a 40 and a 20  
 21 and, I believe, a 20 along the river.  
 22 Q Okay, so you currently own how much acreage?  
 23 A About 110 acres right there.  
 24 Q Okay. Now, in addition to what you just described  
 25 as owning in Sections 20 and 29, do you own other acreage  
 26 in that East Poplar valley?  
 27 A No. I would have some on Section 5, which is next  
 28 to the highway. It wouldn't be in that area.

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1 Q It would be south of what is shown on this map?  
 2 A Yes.  
 3 Q Okay.  
 4 A And, let's see, I believe part of it goes into 28.  
 5 I don't think I mentioned that. So there's 20 and some in  
 6 28 and then 29.  
 7 Q Okay, so what's your total acreage that you own in  
 8 East Poplar?  
 9 A 110 acres.  
 10 Q 110 acres, okay. Where do you live now?  
 11 A I live just east of Poplar, approximately a half  
 12 a mile I'm renting from another cousin.  
 13 Q Why did you move in 1998?  
 14 A I had two reasons for moving. One of them was  
 15 that we had built -- well, we moved a home in and we  
 16 remodeled it. And we had a lot of water problems. We had  
 17 scum that was -- or film that was forming on our water. We  
 18 were getting sores on our bodies, and it was kind of scary.  
 19 And that was somewhat in the back of my mind. My son was  
 20 injured, and we felt that a warmer climate might help him.  
 21 Q How was he injured?  
 22 A He was injured in a basketball injury and broke  
 23 his knee, and so we thought we would take him to a warmer  
 24 climate and see if that would help; and we were concerned  
 25 about losing the value of our property, and I didn't want  
 26 it to deteriorate. And so I put it up for sale. We did  
 27 consider renting it in case we possibly moved back, because  
 28 it's very difficult for us to give up our land. Sometimes

1 didn't have the problems. There was some rust in the  
 2 water, but there wasn't a film in your toilets, like an  
 3 oily film that came later. It was hard water.  
 4 Q It was always hard water?  
 5 A I'm sure it was probably always hard. I don't  
 6 remember.  
 7 Q Now, when did the film first appear in the water?  
 8 A I would say approximately 1995.  
 9 Q Did you notice it come on abruptly or did it just  
 10 gradually develop a film? How did that occur?  
 11 A Well, you know, you just -- you clean your toilets  
 12 as a routine thing; and we just started noticing a little  
 13 film, and you didn't know where it came from or you didn't  
 14 know what it was, just was there.  
 15 Q How would you describe the film? Can you describe  
 16 it in a -- in any more detail?  
 17 A Um, it wasn't a thick black film or anything like  
 18 that. It was just like clear, almost like a little scum.  
 19 I don't mean an algae or anything like that, just almost  
 20 like you -- I can't say like you put salad oil in water.  
 21 It wasn't -- it didn't glob together that much. It just  
 22 was a real fine, very thin film; and when you would clean  
 23 your toilet, it would swirl in the water.  
 24 Q And that appeared in about 1995?  
 25 A I would say 1995, possibly '96.  
 26 Q When you first noticed it, did you confer with  
 27 anyone about it?  
 28 A No.

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1 we have to, but it's hard to do; and that had been in our  
 2 family for a long time. Um, and when I sold my house, I  
 3 explained the water situation; and I took a cut in what I  
 4 was asking for the house. Um, we hauled our water, and I  
 5 explained that to the people when I sold it to them that we  
 6 did not drink the water. I stopped using it at that time  
 7 to cook with.  
 8 Q That time meaning 1998?  
 9 A 1998, unhuh. (Indicates yes.) And so we found  
 10 someone that was interested in purchasing it; and when the  
 11 interest was there, we made the decision not to rent the  
 12 house, but to sell it.  
 13 Q Now, the water that you used up until 1998, that  
 14 came from M32?  
 15 A Yes.  
 16 Q Well M32.  
 17 A And if I might add, at the time that we moved  
 18 there, um, that water had been -- it had a history where  
 19 people came out for years when my grandparents lived there,  
 20 when my mother lived there; people came out from town and  
 21 got their water there because it was such good water. And  
 22 they would haul it back to town in jugs and, you know,  
 23 glass jars. So we didn't have a concern about the water  
 24 when we moved there.  
 25 Q Okay. Now, when did you move there?  
 26 A 1992.  
 27 Q 1992. And in 1992 the water was fine?  
 28 A Um, we didn't have the water tested at 1992 but we

1 Q Did you have it analyzed?  
 2 A No.  
 3 Q Have you ever had it analyzed?  
 4 A Personally, I have not called someone or taken a  
 5 sample of my water in to someone, no.  
 6 Q Has anyone else that you know of taken any samples  
 7 of it?  
 8 A Yes.  
 9 Q Who's that?  
 10 A Um, the USGS has done that, and there have been  
 11 samples taken since we began this process.  
 12 Q How many times has it been sampled, do you know?  
 13 A I can't tell you exactly how many times because  
 14 I'm not in residence there now.  
 15 Q Do you know what the results of those samples were  
 16 of any of the samples?  
 17 A I have seen some of the results, yes, and the  
 18 water has deteriorated. There were times that I thought of  
 19 having it analyzed, and I did talk to the physician at  
 20 Indian Health about the water because of the sores that we  
 21 were getting on our body and in our head. And then when we  
 22 would leave home and go and stay some place, like we'd go  
 23 to Glasgow and stay with my parents for a few days or we  
 24 might go to Utah to visit my husband's family or even a  
 25 trip to Billings or whatever, if you were there for a  
 26 period of three or four days, those sores would start going  
 27 away. I mean, they'd leave, and you wouldn't have them.  
 28 If you were gone for two weeks, you didn't have them; and

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1 then you'd come back, and then they would start coming.  
 2 Q These sores appeared after 1995?  
 3 A Yes, unhunh.  
 4 Q And did you ever go to a doctor and have those  
 5 looked at?  
 6 A Yes, I did. In fact, I brought with me -- because  
 7 I hadn't gotten the record from Indian Health yesterday.  
 8 I was going to get it and the lady didn't get it done.  
 9 But here's the prescription that the doctor at IHS gave me,  
 10 because I was talking to him about it; and he thought this  
 11 Selsun lotion would help in my head and to use it for the  
 12 kids, too. And then they gave us another lotion to put on  
 13 our body. The skin was really drying out, but these little  
 14 sores would come. And I don't have any more of that  
 15 lotion.  
 16 Q Is that Selsun, is that a prescription that he  
 17 prescribed or is that an over-the-counter lotion?  
 18 A I can't -- it's an IHS. Could be an over-the-  
 19 counter, but I believe it's a prescription. It has a  
 20 prescription label. Um, it is -- it says on here,  
 21 prescription formula.  
 22 Q And what's it called?  
 23 A Selsun Rx. It's a 2.5% selenium sulfide lotion.  
 24 Q That was prescribed by a doctor at Indian Health  
 25 Service?  
 26 A Yes, it was.  
 27 Q And what was the doctor's name?  
 28 A Dr. Arosemena.

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1 Q What did the doctor diagnose as your problem?  
 2 A He said he couldn't tell me exactly what the cause  
 3 of it was, but that it was kind of suspicious that it would  
 4 go away when we left the area and it would come back when  
 5 we were back in -- you know, living in our residence and  
 6 using regular hygiene. That that was odd.  
 7 Q Okay. Did you bring with you, in any materials  
 8 this morning, any of the sample results from an analysis of  
 9 your water?  
 10 A Um, I believe there's some in the report, just the  
 11 reports that you have.  
 12 Q When you say the reports, you're referring to the  
 13 USGS report?  
 14 A Yes, unhunh. And I did also bring the letter that  
 15 was received with concern from the EPA. I noticed that  
 16 there was contamination in the water. And there was also  
 17 a little E-mail. Easily recognizable. It has a little  
 18 coffee stain on it. I think I was probably reading it and  
 19 drinking my coffee and it spilled. Surprised me.  
 20 (AS THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
 21 EXHIBITS 13 AND 14 FOR IDENTIFICATION PURPOSES.)  
 22 Q I'll show you what's been marked as Exhibit 13.  
 23 Is that one of the EPA documents that you referred to and  
 24 brought with you this morning?  
 25 A Yes.  
 26 Q And I'll show you what's marked as Exhibit 14 and  
 27 would you please identify that for us?  
 28 A This is the E-mail that came that discussed the

1 water.  
 2 Q And when did you receive that?  
 3 A Late in 1999.  
 4 Q Now, I see that Exhibit 14, the E-mail's addressed  
 5 to Kenneth Hull; and Allen, George; and Richard Oksness and  
 6 Skip Hayes. Is that correct?  
 7 A Yes.  
 8 Q Now, who are they?  
 9 A Kenneth Hull is the Environmental Health officer  
 10 for the Tribe.  
 11 Q And who are the other identified recipients?  
 12 A I can't tell you who those are. I work with Ken  
 13 Hull.  
 14 Q And how did you receive Exhibit 14?  
 15 A Someone that I was working with at Head Start, who  
 16 was a compliance officer, was discussing it and asked me if  
 17 I had received any information.  
 18 Q And who was that person?  
 19 A Herman Pipe.  
 20 Q And when did that conversation occur  
 21 approximately?  
 22 A Um, in October of '99.  
 23 Q And then did you receive Exhibit 14 shortly  
 24 thereafter?  
 25 A Yes.  
 26 Q And what is your understanding of what Exhibit 14  
 27 communicates?  
 28 A Um, concern for the water. It says that -- it

1 talks about the Safe Drinking Water Act and the ground  
 2 water contamination in and near the East Poplar oil field  
 3 in the Fort Peck Indian Reservation in northeast Montana.  
 4 And talks about the source of drinking water for the rural  
 5 residents.  
 6 Q Is it your understanding that Exhibit 14 relates  
 7 to Exhibit 13, the EPA's order?  
 8 A Yes.  
 9 Q Now, we talked a little bit about the analysis of  
 10 your water from well M32, and I understood you to say that  
 11 you had never had it analyzed yourself, ---  
 12 A No.  
 13 Q --- but USGS had analyzed it?  
 14 A Yes.  
 15 Q Anyone other than USGS that you're aware of that's  
 16 taken samples?  
 17 A Just those that have been taken since we began  
 18 this process to have it analyzed, and I believe you have  
 19 copies of those. (Deponent confers with her attorney.)  
 20 Q Are you looking for your sample results?  
 21 A (Deponent indicates yes.)  
 22 MR. DOLAN: I think we've got it, John. I can't remember  
 23 what supplemental answer is. . . (Continues to peruse  
 24 documents.) I believe that the results we sent to you from  
 25 our expert had a sample of her well on it, and I sent  
 26 those, I thought, with. . . (Mr. Dolan continues to search  
 27 for a document.)  
 28 Q (By Mr. Ross) That's alright. I think we can

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1 proceed. What I show is that the well was sampled in 1993.  
2 Is that consistent -- the first sample in 1993. And that  
3 was done by USGS, is that your understanding?

4 A (By Deponent) Yes, it was.

5 Q And then the only other time that water from well  
6 32's been sampled was in 1999. That was done by your  
7 expert, is that what I'm understanding?

8 A There was also one done -- I can't give you the  
9 exact date, but, I believe, in the summer of '97 or '98 the  
10 USGS did one, did a second one. Two women came and did it.

11 Q So it's your recollection that it was sampled in  
12 '93 by USGS and it was sampled again in 1997, '98, in that  
13 time period?

14 A Yes.

15 Q And do you know who took that sample in '97, '98?  
16 Do you know where the women were from or who they were  
17 affiliated with?

18 A USGS.

19 Q Did you get copies of the sample in '97 and '98?

20 A Yes, I did. And I believe it was in '97 because  
21 I think I received that report. It takes several months  
22 for that, ----

23 Q Okay.

24 A --- and I'm thinking, and I may be off on my  
25 dates, but I'm thinking it was in '98 that we received the  
26 information and a disc and also a real thick packet. And  
27 there were some changes that were noted; and when I spoke  
28 to the women, when we had talked to them in '93, the

1 Q And have you received results of those two samples  
2 that your expert took?

3 A Yes.

4 Q And what's your understanding of what they  
5 reflect?

6 A The water is not getting better. It's getting  
7 worse.

8 Q Getting worse in what regard?

9 A The salt content is going up. I did not notice,  
10 you know, like benzene or any of those elevated, but it's  
11 happened to my neighbors, and water flows, and it's scary.

12 Q When you say it's happened to your neighbors, what  
13 do you mean it and who are your neighbors?

14 A The benzene has gone up. These people are all my  
15 neighbors.

16 Q Which specific neighbor are you referring to? and  
17 are you saying that the benzene has gone up in some  
18 neighbor's well?

19 A Um, Tim Trottier lives just to the west of me,  
20 almost directly. I'm sorry, not west, east. His house is  
21 up here on the hill, and mine is down here below the hill.  
22 And his water is real bad. I know that Charlie, who lives  
23 to the north of me, ----

24 Q Charlie's last name is?

25 A --- Charlie Four Bear.

26 Q Okay.

27 A His water has gotten worse. Charlie lives maybe  
28 a mile from me.

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1 sampling -- they said they were safe to use. In '97 -- and  
2 I'm going to use that date, '97 -- um, there were changes  
3 and those changes were -- I remember them commenting that  
4 it seemed odd that at Loegerings the water was still much  
5 better than it was at our place.

6 Q And where are Loegerings in relationship to M32  
7 and your property?

8 A They would be a little farther to the south.

9 Q Approximately how far?

10 A Approximately between a quarter and a half a mile.

11 Q So the water at Loegerings was still good in '97?

12 A Yes.

13 Q And what were the changes that you recall  
14 reflected in the '97 results?

15 A I remember them talking about the salt content --  
16 I use the word salt. I suppose sodium chloride. That it  
17 was higher, that the water was much harder, and we had  
18 noticed a marked difference. I was hauling my laundry by  
19 that time. and that was a change from '93. I mean, in the  
20 meantime, we had started hauling our laundry and ----

21 Q When did you start that?

22 A Um, you take it so many times that it's hard to  
23 remember when we started, but I would say the end of '94.

24 Q And then your water was sampled again, you said,  
25 by your expert in this litigation, 1999, is that correct?

26 A '99 or 2000. There's one in November, I believe,  
27 of 2000, and I believe 1999, possibly October, would that  
28 be right?

1 Q How do you know the results of the Trottier and  
2 Four Bear water? Have you seen the results or have they  
3 told you?

4 A I have seen some of the reports. We get the  
5 reports. We also have talked about it. We had some real  
6 concerns. And, as things begin to get worse -- I mean, you  
7 go to the Laundromat and who do you see? You see your  
8 neighbors there washing their clothes, doing the same thing  
9 you're doing. We have the same grocery stores. We go to  
10 those grocery stores. We're buying the same products to  
11 try and fix our plumbing or to try and clean up our water.  
12 We're buying water at the same stores. When you live in  
13 this area, there's only a few places you can get those.

14 Q Okay.

15 A And I meet those same people at Indian Health. We  
16 have the same concerns.

17 Q And it's my understanding you said you noticed  
18 deterioration in the water from M32 in about 1995, is that  
19 correct?

20 A Yes.

21 Q Other than discussing the water problem with  
22 neighbors, people you work with, are there other people  
23 that you discuss the problem with?

24 A Yes, I discussed it with the doctor. I told you  
25 that. I also discussed it with the people when I was  
26 selling our house. I later discussed it with my in-laws;  
27 I discussed it with them.

28 Q And who are they?

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1 A Mr. and Mrs. Grant Bleazard in Utah.  
 2 Q Now, going back to the doctor, did the doctor tell  
 3 you that there was a relationship to the water and the skin  
 4 problem that you discussed?  
 5 A He told me he couldn't tell me exactly what was  
 6 wrong with me, but that there could definitely be a  
 7 relationship because of the fact that when we went away and  
 8 were away from that water that it cleared up.  
 9 Q Do you have any medical records that relate to  
 10 your skin problem?  
 11 A I should have a medical record dated for this date  
 12 that he gave me this prescription, and that's what I was  
 13 trying to get to bring to you.  
 14 Q But you weren't able to locate it, is that right?  
 15 A I didn't get it yesterday, no.  
 16 Q If you are able to locate that, could you produce  
 17 a copy, give it to your lawyer, and he can produce a copy?  
 18 A Yes, I could. I also have discussed it with my  
 19 son that is in Engineering at Bozeman, and we discussed  
 20 taking water samples and having them run at the lab in  
 21 Bozeman. And he had expressed concern about certain  
 22 carcinogens. He's the one that asked me if any of the  
 23 reports had certain elements in them because he was  
 24 concerned because he does work in the lab. He was also a  
 25 biology major.  
 26 Q Do you have any knowledge of any carcinogens in  
 27 the water well 32?  
 28 A At this point, I don't. But I have the concern,

1 to go to school, and I wanted to come back and go to work.  
 2 And I went to work for the Tribe.  
 3 Q How did you decide to live on the property of  
 4 Chuck Trinder when you came back in '99?  
 5 A I didn't move there directly. I moved into the  
 6 town of Poplar because there were no place -- it's not easy  
 7 to find a place to rent in Poplar, and I had a job there.  
 8 And, so, I rented from Candice Bridges in town. I later  
 9 moved to Frazer for a short period. And then, finally,  
 10 Chuck's house was open. He moved to Oregon, and I moved  
 11 into it.  
 12 Q Are you paying any rent or compensation for living  
 13 in ----  
 14 A Yes.  
 15 Q What do you pay?  
 16 A I pay two hundred and -- \$310 a month.  
 17 Q Now, going back to the sales of property that you  
 18 made, when did you make those sales and to whom?  
 19 A In 1998, I believe it was January, I sold land to  
 20 Iva Trinder, my cousin. It was the farmland that was to  
 21 the east of the house.  
 22 Q Now, is Iva related to -- Iva Trinder related to  
 23 Chuck Trinder?  
 24 A Yes, that's his mother. She's now deceased.  
 25 Q Okay, so in 1998 you sold which parcel of land to  
 26 Iva?  
 27 A Eighty acres to the east of M32. It was farmland.  
 28 Q Did it have a residence on it at all?

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1 and maybe that's what makes it more frightening is because  
 2 I don't know for sure what's there. But I do know things  
 3 that have happened as a result of it; and it makes it very  
 4 frightening for me, and it also makes it very difficult.  
 5 Q What things have happened as a result of it that  
 6 you're referring to?  
 7 A I can't give that land to my children, and that's  
 8 very difficult for me. Sorry. I have a granddaughter  
 9 here, and I wanted her to be on that land; and I can't give  
 10 them the land to build their house. I had to tell them  
 11 that I couldn't give them land to build on there because I  
 12 didn't know what was wrong with the water. And now they're  
 13 moving someplace else.  
 14 Q You left there in 1998, is that correct?  
 15 A I did.  
 16 Q And where do you live now?  
 17 A I live east of Poplar, one half mile.  
 18 Q And who owns the property that you're on now?  
 19 A Chuck Trinder. Actually, it's in trust for him.  
 20 Q And who is he?  
 21 A He's my cousin.  
 22 Q And how did you happen to decide to live there  
 23 after 1998?  
 24 A I said we moved to Utah.  
 25 Q So you moved to Utah in '98.  
 26 A I moved to Utah in 1998. I moved back in 1999 in  
 27 the summer. It's hard to be away from the area that you  
 28 have ties to; and my son wanted to come back to that area

1 A No.  
 2 Q Have a water well on it at all?  
 3 A No.  
 4 Q Just dryland wheat farm?  
 5 A Yes.  
 6 Q Did you bring with you this morning any documents  
 7 that relate to that sale?  
 8 A No, I didn't.  
 9 Q What did you sell that property for?  
 10 A A hundred and eighty dollars an acre, which was  
 11 below the value.  
 12 Q How do you know that it was below the value?  
 13 A The same year land in that area, Lockman's, for  
 14 example, sold farmland for \$585 an acre.  
 15 Q And you sold yours for what an acre?  
 16 A One hundred and eighty.  
 17 Q Why did you sell it for less?  
 18 A I sold it for less because I needed the money and  
 19 that was the best price that I could get; and as a  
 20 relative, she purchased it from me and shared the concern  
 21 of what it would produce if the ground was filled with the  
 22 salt.  
 23 Q Was there any indication that that 30 acres ----  
 24 A Eighty acres.  
 25 Q Eighty acres, excuse me, was contaminated?  
 26 A Um, the only evidence there would be is that the  
 27 production has gone down.  
 28 Q What do you base that on?



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1 A Farm records.

2 Q Do you have any of those records?

3 A There are some, I believe, in the exhibits that I  
4 gave you. You can translate those. I don't translate them  
5 very well from the FSA. But I can tell you that previous -  
6 - and I can get you the results of what productions there  
7 were in the ---- (Deponent confers with her attorney.)

8 Q I'll show you the documents that you brought with  
9 you this morning. Can you identify for us, first of all,  
10 those documents that relate to the sale to Iva Trinder in  
11 1998?

12 A I can show you the maps. I don't have the deed  
13 with me.

14 Q Okay.

15 A Okay, right here.

16 Q Okay, just a minute.

17 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
18 EXHIBIT 15 FOR IDENTIFICATION PURPOSES.)

19 Q (By Mr. Ross) Let me mark that as an Exhibit.  
20 We've marked as Exhibit 15 a one page photocopy of a map or  
21 a photo of land. Can you describe for us what that shows?

22 A (By Deponent) It shows Poplar river on the west  
23 side of the map, and it shows strips of farmland in the  
24 center, and block farming on the east of the map.

25 Q And does it show the 80 acres that you sold to Iva  
26 Trinder?

27 A I need to correct that. It was 120 acres that I  
28 sold to Iva. It would be in this area. This 40 and this

Page 26

1 40.

2 Q And that appears in the top right corner of  
3 Exhibit 15, the 120 acres you sold?

4 A Yes. Yes, it does.

5 Q What section is that in, referring again to  
6 Exhibit 1, the big map, the 120 that you sold to Iva  
7 Trinder?

8 A I believe it's in 28 and a small portion of that  
9 might be in 20. And it would be in 28.

10 Q Did you own that fee? Do you understand what I  
11 mean by fee?

12 A Yes. It's not in trust. It is now in trust; but  
13 at the time I sold it, it's not in trust or it was not in  
14 trust. And the reason was that, in the late 1950's or  
15 1960's, there was the potential for oil leasing, and my  
16 grandmother wanted to be more in control of her own destiny  
17 and took it out of trust. And because we're not of that  
18 Tribe that my mother and grandmother enrolled in South  
19 Dakota, we could not put it back into trust. And so,  
20 therefore, I had to keep it and it was deeded land. But,  
21 because Iva was a Tribal member at Poplar, she and her  
22 husband, Howard, could put that back in trust, and it is in  
23 trust now.

24 Q Do they still own it?

25 A Howard, I believe, still owns it.

26 Q Howard is ----

27 A Her husband.

28 Q --- a husband. And you said Iva ----

1 A Iva is deceased, yes. And I believe that Howard  
2 is the one that received that in the will, but it may have  
3 been Robert Trinder. I'm not sure.

4 Q Does Howard Trinder now farm it as dryland grain?

5 A He has people farming it for him, yes.

6 Q Who actually farms it?

7 A Um, I can't tell you all of the people that he  
8 had, people in certain areas that helped him with his  
9 farming this year, and one of them is Gary MacDonald from  
10 Wolf Point. He's a county commissioner. I'm not sure of  
11 the other two people that are helping him, but they are  
12 people within the area; and they divided up certain areas  
13 of his to do, and I can't tell you exactly who's doing it  
14 on the land that I owned before. I can tell you that his  
15 grandson leased, share-cropped, the small portion of  
16 farmland that I have that joins that piece right to the  
17 east of M32; and the bushels that we received last year  
18 were seven bushels to the acre.

19 Q Do you attribute the yield on that property to  
20 problems with the water?

21 A I think it has something to do with it. We all  
22 know that the climate, you know, if you get rain or you  
23 don't get rain or you get hail -- it was not hailed out.  
24 It was not droughted out last year. It wasn't rained out  
25 last year. But he only got seven bushels to the acre, and  
26 he was using the same equipment that Howard was using, yes,  
27 large tractors and his very good equipment. And we've  
28 never -- in fact, the FSA asked me where the rest of the

Page 28

1 wheat was, because in the history of the property ----

2 Q FSA meaning what?

3 A Farm Service Agency.

4 Q And who was it again that farmed it that got the  
5 seven ----

6 A Curtis Trinder, who is Howard's grandson and  
7 Chuck's son. This year I chose to summerfallow that piece.

8 Q And where is that located, the part that Curtis  
9 farms?

10 A Just to the east of the residence and the M32  
11 well.

12 Q Do you still own that?

13 A Yes, I do. But I was hoping one year my -- it  
14 would build up some nutrients or something.

15 Q Have you had any soil samples taken on that  
16 acreage just -- you say it's just east of M32?

17 A Yes.

18 Q Have you had any soil samples taken?

19 A No, I haven't, but I could do that.

20 Q Going back to the 1998 sale to Trinder, did you  
21 list that land for sale with any real estate agency?

22 A No, I didn't. I contacted the people that had  
23 leased from me previously.

24 Q Who were they?

25 A Lockmans. And they live just farther to the east,  
26 and he chose not to purchase it because his -- he's in the  
27 process of retiring and his children were in debt far  
28 enough, and they didn't feel that they could afford to go

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Page 31

1 in debt further and risk ----  
 2 Q Did you discuss price with Lockman?  
 3 A Yes. I -- my asking price was \$300 an acre  
 4 considering wheat prices and -- I was hoping that that's  
 5 what I would get. And the land adjoining it and across the  
 6 road had sold earlier. He had purchased it from my uncle  
 7 for \$300 an acre, but that was some years before. And it  
 8 was good producing land -- had been good producing land.  
 9 Q Did you make any other efforts to sell it other  
 10 than contacting Lockman?  
 11 A Um, I talked to some other farmers. I don't  
 12 remember advertising it. And then I contacted Iva and  
 13 Howard because I wanted to be able to keep it in the  
 14 family.  
 15 Q You said something to the effect that you needed  
 16 the money. Is that one of the reasons you sold it?  
 17 A Yes.  
 18 Q Why did you need the money?  
 19 A As I said, my son had been injured, and it was a  
 20 very severe injury; and he had been denied Indian Health  
 21 coverage for physical therapy because we were at a level  
 22 12, which is life or limb, and they make the choice if  
 23 you're not going to die or they're not going to amputate  
 24 the leg. And it's hard to tell a 15 year old that you can  
 25 be in a wheelchair because they're not going to provide  
 26 your physical therapy. And he had 14 hours a day at first  
 27 that he was doing physical therapy; and I had to travel  
 28 with him, and I had to make a lot of concessions. So I

1 \$70,000?  
 2 A Yes.  
 3 Q And when you say you were asking \$125,000, how did  
 4 you list the property or try to sell it initially?  
 5 A Um, mostly word of mouth. I went to the banker  
 6 and asked for some values and asked what property was going  
 7 for in the area. Um. . .  
 8 Q What banker did you go to?  
 9 A Jeff Ruffatto. It was then Traders State Bank and  
 10 then became Independence Bank.  
 11 Q Located where?  
 12 A In Poplar. And much of the like transactions that  
 13 have beginnings in our area have beginnings with word of  
 14 mouth. We do that very well. I also talked to people at  
 15 IHS for any doctors that might be coming in. I talked to  
 16 people, like at the school for superintendents or ----  
 17 Q Why did you want to sell it at that time?  
 18 A I believe I mentioned before that my son had been  
 19 injured and we thought a warmer climate. We also had some  
 20 concerns about the water and the sores that we were  
 21 getting, and I didn't want to have the value go down and  
 22 completely lose out.  
 23 Q When you say warmer climate, where did you go for  
 24 a warmer climate?  
 25 A We went to Utah. As I mentioned, my husband's  
 26 family was from that area. There was -- you don't have the  
 27 northern fronts that go through Montana. They don't have  
 28 those in Utah the same. Um, it's a different type of

Page 30

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1 needed the money.  
 2 Q Got injured in a basketball game?  
 3 A Practice, yes. And he was -- and he was then off  
 4 crutches, but I needed -- he was able to walk and do some  
 5 running at that time. But I needed to pick up bills that  
 6 were from before.  
 7 Q Now, in addition to the 1998 sale to Trinders,  
 8 have you sold other land?  
 9 A Only the land on where the house is and then I  
 10 also sold the river land to Dunn O'Connor.  
 11 Q Okay, let's take them one at a time.  
 12 A Okay.  
 13 Q When did you sell the land where the house is ----  
 14 -  
 15 A June.  
 16 Q Excuse me, go ahead.  
 17 A June 1998 to Dr. Roman Hendrickson. Actually,  
 18 it's to his wife, Joan Hendrickson. They reside there.  
 19 Q Okay, and how much acreage did you sell of that?  
 20 A Ten acres and our house. And ----  
 21 Q And how much did you sell that for?  
 22 A I sold the house for \$70,000, I believe. I was  
 23 asking \$125,000. It was approximately 3900 square feet,  
 24 three levels, with a sunroom on the side.  
 25 Q Did you sell the house separate from the ten  
 26 acres?  
 27 A No.  
 28 Q So you sold the house and the ten acres for

1 climate, and we thought that that would be; you know,  
 2 better for him. There was also an Indian reservation there  
 3 and the opportunity for me to find work.  
 4 Q Now, why did you talk to Jeff Ruffatto at the bank  
 5 about selling your property?  
 6 A Because people in our area go there to, you know,  
 7 if you want to rent land or lease -- or I'm sorry, rent a  
 8 house, you check certain areas, certain businesses, you  
 9 know, to find out the information, the school, the bank;  
 10 and I thought he might know of someone that was coming in  
 11 that might be interested or someone that had mentioned in  
 12 the course of conversation.  
 13 Q How did you determine what to ask for the ten  
 14 acres and the house?  
 15 A I called some -- I believe it was American Realty  
 16 and talked to them.  
 17 Q Where are they located?  
 18 A Billings, and they also had a branch at that time,  
 19 a Marlene Toavs, I believe her name is, here in Wolf Point.  
 20 And I spoke to her about the sale of the land. I also  
 21 spoke to her about possibly selling some land on the  
 22 highway that I have.  
 23 Q Is she still located here in Poplar or Wolf Point?  
 24 A I have no idea, because I didn't pursue anything  
 25 with her.  
 26 Q American Realty still have an office in this area?  
 27 A I have no idea. Then I also -- I contacted people  
 28 at IHS just in conversation, are there some new doctors

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1 coming in? Do you know anybody that wants a house or is  
2 looking for a house? In fact, one doctor accidentally fell  
3 upon our house looking for another one, and I happened to  
4 mention it to her. Maybe you don't want to rent from them  
5 or buy from them, maybe you'd like to look at my house.  
6 I'm going to sell it.

7 Q And who was that?

8 A Dr. Keval. She's also at IHS. I also talked to  
9 the insurance people about the value of the house. Course,  
10 they're selling insurance.

11 Q Well, how did you determine the value? By talking  
12 to these people, I understand that, but how did you arrive  
13 at what to ask or what to sell the property for?

14 A Um, we threw figures out, my husband and I did;  
15 and he carpenters, and so he knows the value or what it  
16 cost to build something per square foot. And we discussed  
17 it with a contractor. We also considered the location. If  
18 you look at the history books, you'll see that Lewis and  
19 Clark camped six miles up the Poplar River from the mouth  
20 of the river, which is approximately where my home was, and  
21 the river ran through it. At one time, Howard Trinder had  
22 looked at purchasing it for -- the river bottom land, for a  
23 KOA camp, because he thought it would be a draw. We looked  
24 at those things. But we also looked at the area that's it  
25 in and people coming to northeastern Montana and people  
26 coming to Poplar, and we were torn between what the value  
27 of the house is, what you can sell it for in an area that  
28 you live in, and also considering that we had to come up

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1 front and say that we don't use the water. And we thought  
2 that if we lowered the price, that that would not be as  
3 much of an issue. And when the doctor came and asked what  
4 we wanted, I asked for \$80,000 and we came up with \$70,000.

5 Q You countered with seventy?

6 A He countered with something else, and then we came  
7 up to seventy. What I had wanted earlier or felt it was  
8 worth, looking at construction and what we had put into the  
9 house, the improvements we had made, the changes we had  
10 made, the amount of money we had invested in it, and then  
11 considering that we were also adding ten acres, we felt  
12 that \$125,000 was not unreasonable.

13 Q Did you try to sell it for a hundred and twenty-  
14 five for any period of time?

15 A No. I threw the number out a couple of times. I  
16 talked to the doctor about the value of it at a hundred and  
17 twenty-five.

18 Q Is there any documentation -- and by that, I mean,  
19 letters, agreements, any other appraisals that relate --  
20 listings that relate to this sale to Dr. Hendrickson?

21 A No. He came knocking on my door and said, I  
22 understand your house is for sale, I'm looking for a house.  
23 I want to purchase a house in the next two weeks and move  
24 my family here; and I opened the door and let him in.

25 Q And did you sell the house to him then shortly  
26 thereafter?

27 A Within two to three weeks. I believe, yes.

28 Q Does he still reside there?

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1 A Yes, he does.

2 Q Do you know whether he uses the water from M32?

3 A I believe they still shower in it, but the water  
4 that is being -- would have been supplied to that  
5 residence, if I were still living there, is going to  
6 Dr. Hendrickson because I felt that was the moral thing to  
7 do. So when they contacted me about delivering the water,  
8 I told them to get ahold of him. And he does use that  
9 water, the purchased water.

10 Q So when we were talking about samples of M32 that  
11 were taken in 1999 and 2000, that's when Hendrickson  
12 actually owned the property?

13 A Yes.

14 Q Is there any other property that you've sold?

15 A Yes, I sold some along the river to Dunn O'Connor.

16 Q And when did you sell that? How much was ----

17 A December of 1999, and ----

18 Q And do you remember how much you sold?

19 A Sixty acres, I believe, for \$60 an acre.

20 Q Now, again, referring to Exhibit 1, the map in  
21 front of you, where is the sixty acres that you sold to  
22 O'Connor?

23 A Unhunh. (Indicates yes.)

24 Q Can you tell us in what section that's located?

25 A Okay, it would be in 29.

26 Q Sort of in the southwest corner?

27 A Yes. It'd be right -- can you see where the river  
28 goes. Okay, it's right along in here.

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1 Q Oh, so it's more in the northwest corner of  
2 Section 29?

3 A Right.

4 Q Okay, which side of the river is it on?

5 A It's on the east side of the river. Oh, there is  
6 a small portion of it that's on the west side of the river.  
7 That's right. The majority of the land is on the east  
8 side.

9 Q And that's river bottom land?

10 A Um, yes, it is, and a small -- there's like a  
11 slough area that goes through where we kept our garden --  
12 er, my grandfather kept a garden. There's also some  
13 grazing area through there.

14 Q Did you bring any documents with you this morning  
15 that relate to that December '99 sale to O'Connor?

16 A I did not, but I could get the deed for you.

17 Q Could you do that, please?

18 A Yes.

19 Q Why did you sell that 60 acres to O'Connor in '99?

20 A I had moved back from Utah. It's very expensive  
21 to move and re-locate, and I sold it for the money. I  
22 didn't get what I asked for it.

23 Q What did you ask for it?

24 A I asked a hundred dollars an acre for it.

25 Q And, again, how did you try to sell that 60 acres?  
26 Did you list it with anyone or list it in a newspaper?

27 A No, I had leased the land in the fall to Dunn; and  
28 in the process of leasing that land, he asked me that if I

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1 ever considered selling it -- and I had said, absolutely  
2 not, I'm not selling any more of my land -- um, would I  
3 please consider him first. And, um, that's what I did.

4 Q What does he use the land for, Mr. O'Connor?

5 A He has some cows. He's fenced it and he has some  
6 cows there.

7 Q Where does he reside?

8 A He resides farther north along the river, Poplar  
9 River, and he's probably three -- no, must be about five  
10 miles north of us. We had used that land when we had  
11 registered sheep. We had our rams there, but they didn't  
12 like the water. We ended up selling them.

13 Q What was the source of water for the sheep?

14 A We used the river. We took an area and fenced it  
15 off, and we could use the river for that.

16 Q So you say the sheep didn't like the water. They  
17 didn't like the river water?

18 A They didn't like the river water very well either,  
19 no. We only had them there for a short period of time.

20 Q How long?

21 A Ah, a few months, I believe.

22 Q How did you arrive at the \$60 an acre for that  
23 sale of that 60 acres in '99?

24 A Again, grazing land should be worth \$100 an acre,  
25 and that's what I asked. And we discussed back and forth  
26 the attributes and the disadvantages of the area, and ----

27 Q What -- did water come into ----

28 A Into the discussion? Yes, it did.

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1 Q --- into the discussion in the sale? In what  
2 terms or how was it part of that transaction?

3 A I expressed my concern of contamination in the  
4 river.

5 Q When you say you were talking water, you were  
6 talking about the river?

7 A The river, unhuh. (Indicates yes.) And the  
8 land itself. I mean, it has brush in there, it has grass  
9 in there, it has our chokecherry trees. It was very hard  
10 for me to sell that land, but I didn't let my kids go down  
11 and swim in the place that I had swam all the time I was  
12 little and growing up. And I would never let my  
13 granddaughter go in there and swim now. I mean, she's not  
14 old enough to, but I would never do that because of the  
15 warnings that we've had. And Dunn is very much aware of  
16 what's going on. He farms in the area. He lives in the  
17 area. And we went back and forth and we came up with \$60.  
18 And I won't lie and say, the only reason it sold for \$60  
19 was because of concern for the water. I won't say that.  
20 You ask a price and you negotiate back and forth.

21 Q What other factors came into play?

22 A Small area, him having to fence it. Those were  
23 two other concerns. He was going to fence it when he  
24 leased it, anyway, but. Also, his wife is a Tribal member,  
25 and, um, she can lease land for less money. And so that  
26 also played in it.

27 Q What warnings and from whom had you received  
28 warnings about the Poplar River?

1 A Mainly the discussion was like at school when I  
2 worked there, some concerns about -- expressed by teachers  
3 and people in the science department about parents allowing  
4 your children to swim in the Poplar River with all the  
5 contaminants there, and discussion of deformed frogs and  
6 fish, and discussion about should the people be eating the  
7 fish that you get out of the river. That was my concerns.

8 Mainly through discussion with the -----

9 Q Is there any documented evidence of those concerns  
10 and warnings that you are aware of?

11 A I believe if you go to Environmental Health and  
12 talk to Ken Hull, he would most probably have any concerns  
13 and paperwork on that. He's a Tribal sanitarian.

14 Q Where does he work, in Poplar?

15 A In Poplar, just to the west of the Indian Health  
16 building. I believe it's on Assinboine Street.

17 Q Have you seen any written documentation or  
18 evidence about concerns of the Poplar river -- contaminants  
19 in the Poplar river?

20 A Trying to remember if at the meeting that the EPA  
21 came and talked to us about concerns of the water  
22 contamination, I believe there was some discussion about  
23 that brought up by some of the people in the crowd. I  
24 couldn't tell you who brought that up, but I do know that -  
25 - I mean, I haven't seen papers that say, yes, we found  
26 this two headed fish or two headed frog or whatever, but  
27 mostly just verbal concerns. But I'm sure if you talk to  
28 Ken Hull, you'll find paperwork on it. And I could

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1 possibly get some of that for you.

2 Q If you do have any documentation about the  
3 concerns of the Poplar river and the water out there, any  
4 other documents that you haven't already produced, we'd  
5 like to see those, please.

6 A And I believe one of my concerns comes from just  
7 my knowledge of the land and where the water flows.

8 Q What do you mean by that?

9 A Um, if you look at, say, Timmy Trottier's well and  
10 benzene in there, he lives up on the hill; and it's always  
11 been my natural instinct that when it rains and it rains on  
12 top of the hill, the water flows down the hill. And I live  
13 down the hill from him. And most of your rivers collect  
14 water from a higher elevation, and it flows down into the  
15 river and off into the ocean. And that water has to come -  
16 - and it collects it along the way. And the natural flow -  
17 - and I have seen charts that show the flow of the water.

18 Q What are you talking about, surface water or  
19 ground water?

20 A Ground water. Also surface water, but ground  
21 water, um ----

22 Q And what's your understanding of what direction it  
23 flows?

24 A My understanding is that it flows from that area  
25 that I was talking about ----

26 Q From Trottiers?

27 A --- from Trottiers, some of it comes down through  
28 my area. But it also goes -- I mean, it depends upon --

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1 and I don't know. That's the scary part. I don't know  
 2 where that underground water flows; and with  
 3 seismographing, with changing of the earth, I don't know  
 4 where it comes from. And that's scary for me.  
 5 Q What's the basis for your testimony that there's  
 6 benzene in Trottier's well?  
 7 A I saw it on one of the reports earlier.  
 8 Q One of the USGS reports?  
 9 A Um, I believe when I went to an EPA meeting, there  
 10 were some reports there. I can't tell you who produced  
 11 that.  
 12 Q And when you say the Trottier well, do you know  
 13 where that well is located or can you show us on Exhibit 1?  
 14 A (Deponent peruses map.) I guess way over here.  
 15 Q Would it be this ----  
 16 A It would have to be like -- yeah, because this  
 17 must be ----  
 18 Q It would be M31 that you're talking about?  
 19 A Um-hm. (Indicates yes.) And M30. Let's see.  
 20 (Deponent confers with her attorney.) Excuse me, it's  
 21 probably 31.  
 22 Q Okay, it's M31 located in the corner of Section 27  
 23 on Exhibit 1?  
 24 A Right.  
 25 Q Okay.  
 26 A And, sec, that's almost straight east of me.  
 27 Q Do you have any information or knowledge about  
 28 where the benzene comes from in M31? the Trottier well?

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1 A Um, I have suspicions. I have -- it's my belief  
 2 it comes from this mesa area right in here in these -- I  
 3 mean, there are injection wells in that area.  
 4 Q What's the basis for your testimony in that  
 5 regard?  
 6 A I've looked at maps. I've had discussion with the  
 7 EPA people. I've talked to neighbors. I've talked to  
 8 Kenny. I'm sorry, Timmy, not Kenny. Um, and as neighbors,  
 9 concerns.  
 10 Q But you don't know for a fact that it comes from  
 11 that mesa area?  
 12 A Um, I have very strong suspicions, but, um, can't  
 13 say it comes from there. I don't know exactly where the  
 14 water flows. I'm not underground. I don't know where it  
 15 comes from.  
 16 Q Okay.  
 17 A Like I said, that's the scary part. I don't know  
 18 where it comes from.  
 19 Q Are there any other wells that you believe have  
 20 benzene in them from the East Poplar field?  
 21 A The last report that I saw, Abigail Reddoor, her  
 22 benzene was elevated.  
 23 Q Do you know which well that is that you're  
 24 referring to on Exhibit 1?  
 25 A Um...  
 26 Q If you don't know, that's alright. If you know.  
 27 ..  
 28 A I could find it probably. M18.

1 Q So it's your belief that M18 has benzene in it as  
 2 well?  
 3 A Um-hm. (Indicates yes.)  
 4 Q Is that well water from M18 used currently by  
 5 anyone that you're aware of?  
 6 A Um...no, I wouldn't know that. You'd probably  
 7 need to ask Abigail.  
 8 Q Okay. Now, just sort of to summarize on the  
 9 sales, you've sold three pieces of property if I understand  
 10 your testimony correctly.  
 11 A I'd also like to note that I did keep a large area  
 12 of that land with the hopes of moving back.  
 13 Q Okay. How much do you still have there, acreage?  
 14 A A hundred and ten acres, I think I told you.  
 15 Q Do you know if there are any areas out there in  
 16 the East Poplar oil field that do still have good water?  
 17 A Um, no, I don't. I haven't heard anybody -- and  
 18 I haven't talked to Mavis Loegering for, oh, a long, long  
 19 time, so I don't know how her water is. But I don't know  
 20 of anyone in this area that has good water, no.  
 21 Q Where does Mavis Loegering live in relation to  
 22 either the property you still own or did own?  
 23 A Okay, she lives to the south, approximately a  
 24 quarter of a mile from the residence that I had there.  
 25 That would be M32, that well. In fact, I believe it  
 26 probably would be M33. Would it be that?  
 27 Q Mavis Loegering's on M33?  
 28 A No, it wouldn't be. No, I can't say that for

1 sure. (Confers with her attorney) M33. We would -- she's  
 2 the one that we compared with when we lived there, you  
 3 know, because we were right next door, basically.  
 4 Q What do you mean, you compared with?  
 5 A When the USGS came, you know, when you got the  
 6 report. So how did your water turn out?  
 7 Q And what's your understanding how your water  
 8 compared to Loegerings?  
 9 A It wasn't as good.  
 10 Q Yours wasn't as good?  
 11 A It wasn't as good, no. And the last report, it  
 12 still -- it was worse than the first report, but it was  
 13 still worse than hers. Hers had not -- it had changed, but  
 14 not as drastically as mine had. And the last time I saw  
 15 her, we didn't discuss water.  
 16 Q Other than the damages that you've discussed so  
 17 far here this morning, are there any other damages that you  
 18 claim that have resulted from deterioration of the water?  
 19 either personal damages, if you understand what I mean by  
 20 that, any adverse health effects, that sort of thing, or  
 21 any other property damages or any other types of damages  
 22 that you attribute to the water?  
 23 A Well, I don't know what the future will bring as  
 24 far as health. I do know that I have -- I developed fluid  
 25 retention while I was there.  
 26 Q Did you see a doctor about that?  
 27 A Yes.  
 28 Q What did he say about it?

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1 A Less salt. At that time, I didn't use salt  
2 either. Or add salt, I never have added salt to my  
3 cooking; but we were cooking with the water. Um, health,  
4 I've already mentioned, the sores on the body ----  
5 Q What doctor did you see? Excuse me for  
6 interrupting.  
7 A Um, I can't tell you which doctor I saw when I  
8 first started. At Indian Health, when you go in, you don't  
9 always know which doctor you're going to get, maybe one  
10 that's there for two weeks or, you know, and that. I try  
11 now to go to Dr. Keval all of the time. It may have been  
12 Marsha Shannon. Oh, I can tell you. It was -- she was a  
13 woman doctor, Michelle Abis. She's no longer there. Um,  
14 I have developed high blood pressure.  
15 Q Okay, do you attribute fluid retention or high  
16 blood pressure to the water in the East Poplar oil ----  
17 A I can't say it's wholly from the water, no. I  
18 also have aged over those -- that period, you know. My  
19 body's deteriorating, too. I can attribute the sores to  
20 the water. It didn't happen when we were someplace else.  
21 My son came home from college for Christmas. It happened  
22 to him. When he went back to college, it went away.  
23 Q Are there any medical records that relate or  
24 document sores or any other medical maladies?  
25 A Only those that I talked to you about earlier.  
26 Q That's the ----  
27 A The lotions.  
28 Q The lotion.

1 are we ever going to get water that we can, you know. . .  
2 Q What do you think the remedy is or what do you  
3 think the alternative might be?  
4 A Can I tell you what I want?  
5 Q Sure.  
6 A What I would want is that you could clean up the  
7 water, absolutely clean up my land and my water, and  
8 absolutely guarantee to me that it was safe for my  
9 daughter, my granddaughter to live there. And I don't  
10 think that's possible. I really don't. I don't think that  
11 you can clean that up. And that land is very, very  
12 important. And we're raised to respect our land, not  
13 destroy it. And that's my belief system. I was raised on  
14 the land. And you never did that. And if there was some  
15 kind of knowledge that that was happening or that you'd  
16 heard something, you stopped it. You didn't keep doing it.  
17 Q Are you aware of any particular oil companies or  
18 others that have contaminated that area?  
19 A I'm aware of the names of companies that have oil  
20 wells there, that have injection wells there. You can  
21 drive past on the road, and you can see them. It's ugly.  
22 Q What companies have you heard?  
23 A Names? Okay, Murphy Oil, everybody knew Murphy  
24 Oil. Um. . .  
25 Q Have you talked to anybody from Murphy Oil about  
26 it?  
27 A Um, going up and saying -- I mean, I've talked to  
28 Murphy Oil, but not -- not to say, are you going to, you

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1 A Dr. Arosemena. The other was in discussion with  
2 the doctors, and they would say -- and we don't have a  
3 family history of acne or any of those things. They would  
4 say that they're, you know, peculiar, that you get like a  
5 blister kind of sore. They ask you questions, you know,  
6 have you eaten something different, are you -- you know,  
7 allergy type of things, and it wasn't related there.  
8 Q When was the last time that you used any of the  
9 water out there, either for bathing or drinking or cooking?  
10 A 1998. June of -- well, may have been May 31st or  
11 June 2nd. I think June 2, 1998.  
12 Q Have you experienced any of these medical  
13 conditions since that time?  
14 A No, I haven't. Since I left there, I have not  
15 gotten any of those sores, no. None of my family has  
16 gotten any of them.  
17 Q How did you happen to decide to get involved in  
18 this lawsuit?  
19 A Um, like I said, we -- neighbors talk and you  
20 visit and you ----  
21 Q Who'd you talk with?  
22 A I believe Rene Martell.  
23 Q Did he come to you or did you go to him?  
24 A I think Rene called us, and then I talked to Helen  
25 Ricker, and we were going to have a meeting. We were going  
26 to talk about the water and the concerns and cleaning --  
27 you know, see what we could do to -- and we talked about  
28 our water, like I said, at the Laundromat. You know, when

1 know, clean up my land or what are you doing to these wells  
2 over here, it's ugly. No, I haven't talked to them.  
3 Q Just to make sure I clarify that. Who have you  
4 talked with from Murphy Oil?  
5 A Um. . .  
6 Q Do you have any names?  
7 A Tim Trottier, for one; he worked for Murphy Oil.  
8 And I would express my frustration of what things looked  
9 like and what was happening and my concern. Um. . . I've  
10 always been concerned about injection wells. I've had, um.  
11 . . . I. . .  
12 Q What's your concern about injection wells? What's  
13 your ----  
14 A My concern with injection wells is when you put  
15 any type of toxic solution or alien solution down into the  
16 ground at high pressures; and when you're using whatever  
17 type of casing you're using, and that's not going to last  
18 forever. And when that pressure comes, it's going to go  
19 out. And where does it go? Does it go on your land or my  
20 land or what water? I've always had concern for the water.  
21 Q When you say toxic solutions, what's your  
22 understanding of what's injected into these injection  
23 wells?  
24 A I'm not sure what all it is. Um, but it's my  
25 understanding that that's waste, that it's used in the  
26 process of getting oil, but it's not something that you're  
27 going to sell or it's not something you want to keep. You  
28 want to get rid of it, and you want to find a place to put

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1 it.  
2 Q It's not something that came up from the ground  
3 right there?  
4 A I'm not really sure where all of the ingredients  
5 that go down in an injection well -- I'm not sure where  
6 they all come from.  
7 Q Other than talking to Tim Trottier of Murphy, have  
8 you talked to any other companies, company personnel?  
9 A No.  
10 Q Are there any other companies that you're aware of  
11 that operate or have operated out there?  
12 A Names of companies? Um, Samson is a name I'm  
13 familiar with or have heard, Mesa, Pioneer.  
14 Q What have you heard about Mesa and Pioneer?  
15 A I have heard that Mesa has an injection well.  
16 Q Do you know where that's supposedly located?  
17 A Yes, it's not far from Tim's house, and it's up  
18 above me.  
19 Q Have you ever talked to anyone from Mesa?  
20 A No, not that I know of. I mean, I may have had a  
21 conversation with someone and they didn't tell me they were  
22 from Mesa.  
23 Q Have you ever witnessed the operation of any wells  
24 by Mesa or Pioneer?  
25 A I wouldn't know who had -- you know, who had the  
26 wells. I mean, when you're driving by and that, I think  
27 probably the only trucks you ever notice are Halliburton  
28 trucks. They're so obvious, but.

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1 Q Have you ever heard anything about a hot water  
2 pipeline that ran from the East Poplar oil field area in  
3 towards the City of Poplar?  
4 A No, I'm not really familiar with -- I may have  
5 heard of it, but I'm not familiar with it.  
6 MR. ROSS: Just to, I think, rap this up, let's mark this  
7 first of all.  
8 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
9 EXHIBIT 16 FOR IDENTIFICATION PURPOSES.)  
10 Q (By Mr. Ross) I'll show you what's marked as  
11 Exhibit 16, which is a notice of taking your deposition and  
12 a request for production of documents this morning. Do you  
13 remember seeing that or did you receive that?  
14 A (By Deponent) Yes, I'm sure.  
15 Q Now, you brought with you this morning some  
16 documents, and we've marked as exhibits some of those.  
17 What I'd like to do is have you go through and identify for  
18 the record the additional documents that you brought with  
19 you this morning, and we'll mark those as exhibits. So I'm  
20 going to let you, if you would, please, pull out the  
21 separate documents that you brought with you this morning.  
22 We'll then mark them as an exhibit and you can briefly tell  
23 us what your understanding of what they are, okay?  
24 A Okay. These are letters ----  
25 Q Okay, first of all, let's mark this one as Exhibit  
26 17, and if you'd just explain to us what that is.  
27 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
28 EXHIBIT 17 FOR IDENTIFICATION PURPOSES.)

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1 A (By Deponent) It's just a letter from the USDA,  
2 which is the United States Department of Agriculture, the  
3 Farm Service Agency; and it's just some information I  
4 received on programs and production and production yield.  
5 Q (By Mr. Ross) How does that relate to the water  
6 issues or claims, if at all, in this lawsuit in your ----  
7 A Basically, it just shows that I'm involved in the  
8 FSA and the farm programs and that we have worked to try  
9 and keep abreast of things that will help us with  
10 production or with keeping the land in good repair.  
11 Q If we wanted to talk to someone with the FSA or  
12 other governmental agencies or Tribal agencies about the  
13 soil or production in the East Poplar area, who would we  
14 talk to and where are they located? Do you have any  
15 thoughts on that?  
16 A Roosevelt County has theirs in Culbertson. It's  
17 the FSA building -- USDA building, and Carol Ritter-Fellman  
18 is the person.  
19 Q To your knowledge, have the FSA looked into the  
20 issue of whether there's any effect of the contamination in  
21 the East Poplar oil field on crop production? You know,  
22 whether they've looked into that issue at all?  
23 A No, I don't.  
24 Q Okay, let's proceed with the next document that  
25 you brought.  
26 A This is also from the USDA, FSA division.  
27 Q Okay, let's mark that as an exhibit. Okay, we'll  
28 mark that as Exhibit 18, and what's your understanding of

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1 what that shows?  
2 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
3 EXHIBIT 18 FOR IDENTIFICATION PURPOSES.)  
4 A (By Deponent) This is just information on the  
5 farm program and the different tracts that are in that  
6 area.  
7 Q (By Mr. Ross) Do you think Exhibit 18 relates to  
8 any of the issues or claims in this lawsuit that we're  
9 involved in?  
10 A It might possibly show a basis of yield.  
11 Q Okay, what is the basic yield? Do you have any  
12 thoughts on that? What basic -- now I understand that  
13 that's going to vary from year to year and weather and  
14 whatever else, but do you have any knowledge about crop  
15 production in this area?  
16 A I would say from 36 to 20. I believe it says even  
17 23 on one part there. And it says 36 in one area.  
18 Q Twenty-three or 36, what? Bushels to the acre?  
19 That sort of a ----  
20 A Yeah, bushels per acre, depending upon what type  
21 of crop is planted. But my last year crop was 7 bushels to  
22 the acre.  
23 Q Okay. I know we talked a little bit about that  
24 production last year of 7 bushels. Did you talk to anybody  
25 about that production last year?  
26 A I talked to the Farm Service agent, and ----  
27 Q And what's that person's name?  
28 A I can't tell you which one I talked to. There's

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1 several there, but I expressed my concern at only seven  
 2 bushels to the acre. And she said that that property has  
 3 never produced that low.  
 4 Q Did she have any opinion as to why it was low last  
 5 year?  
 6 A Well, she said, where else was any grain  
 7 delivered? But it was only delivered to the one elevator.  
 8 And she couldn't imagine what had happened because he had  
 9 followed the farm program.  
 10 Q Did she attribute any of the small production to  
 11 the water problems involved in this lawsuit?  
 12 A She didn't verbalize on anything like that.  
 13 That's not her position to do that.  
 14 Q Okay, what other documents did you bring this  
 15 morning?  
 16 A I brought maps.  
 17 Q Okay, are these maps separate maps or are they  
 18 tied in together?  
 19 A They're separate maps.  
 20 Q Okay, let's mark them separate exhibits then.  
 21 A You probably don't need all of them.  
 22 Q Well, let's go ahead and mark them, and we'll just  
 23 ask what they are.  
 24 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
 25 EXHIBIT 19 FOR IDENTIFICATION PURPOSES.)  
 26 Q (By Mr. Ross) I'll show you what's been marked as  
 27 Exhibit 19 and ask for you to describe that, please.  
 28 A (By Deponent) This is just an aerial view of the

1 Q (By Mr. Ross) We've marked as Exhibit 21 another  
 2 document and if you would tell us what that is, please.  
 3 A (By Deponent) This is the farm program that I'm  
 4 signed up for with the Farm Service Agency, and it  
 5 indicates also that I am summerfallowing this year.  
 6 Q Do you get any compensation?  
 7 A Approximately \$148 a year.  
 8 Q And that's per what?  
 9 A That would be for all of the land that I put in  
 10 the program, which would be approximately 85 acres.  
 11 Q So you put approximately 85 acres in and you get  
 12 a hundred and forty ----  
 13 A Forty-eight dollars.  
 14 Q Forty-eight dollars. And that's when you put it  
 15 into summerfallow?  
 16 A That's the farm payment, whether it was in  
 17 summerfallow or whether it was cropped. It would be the  
 18 same. It's whatever the program is for that year depending  
 19 upon Congress.  
 20 Q Okay, and what other documents do we have?  
 21 A This is a map.  
 22 Q Okay, let's mark that ----  
 23 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION  
 24 EXHIBIT 22 FOR IDENTIFICATION PURPOSES.)  
 25 Q (By Mr. Ross) --- as Exhibit 22. And what does  
 26 Exhibit 22 show?  
 27 A (By Deponent) It says Bleazard subdivision  
 28 number 1, and it indicates the area where our residence

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1 farmland and also the Poplar river along the west side of  
 2 the map.  
 3 Q And this shows what, the land that you own and  
 4 have owned?  
 5 A Yes.  
 6 Q And who took that photograph?  
 7 A I can't tell you who took it, but it was taken for  
 8 the Farm Service Agency; and I received it from them.  
 9 Q Okay. Let's mark this one, too.  
 10 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
 11 EXHIBIT 20 FOR IDENTIFICATION PURPOSES.)  
 12 A (By Deponent) And that is marked 2001. I just  
 13 received that.  
 14 Q (By Mr. Ross) Okay, and I've marked it as  
 15 Exhibit 20, and that, again, is an aerial map of the land  
 16 that you own in the East Poplar oil field?  
 17 A Yes, it is.  
 18 Q Other than just showing the location of your land,  
 19 does it have any other relationship to the issues in this  
 20 lawsuit?  
 21 A It does show that or indicate that I'm  
 22 summerfallowing this year other than ----  
 23 Q In Section -- what section are you summerfallow?  
 24 A This would be Section 28. This part is ----  
 25 Q In Section 28, okay.  
 26 A --- and then that one. --- 17-27.  
 27 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
 28 EXHIBIT 21 FOR IDENTIFICATION PURPOSES.)

1 was, and the ten acres that were sold to Roman and Joan  
 2 Hendrickson, and that is where M32 well is.  
 3 Q Was this done in conjunction with the sale to  
 4 Hendrickson?  
 5 A Yes, it was. And it tells a little information on  
 6 the well.  
 7 Q How deep is M32, do you know? If you don't know  
 8 off the top of your ----  
 9 A Fifty -- I believe it's fifty feet.  
 10 Q Okay. And maybe this is already on the record or  
 11 on some of the documents, but when was M32 drilled and by  
 12 whom?  
 13 A In 1992 we drilled right near where the well had  
 14 been prior to that; but we had to put new casing in, so we  
 15 decided just to drill a well right next to it rather than  
 16 remove the old casing. And it was a company out of  
 17 Plentywood. I can't tell you the name off hand.  
 18 Q Did you go to the same depth as the previous well  
 19 had been?  
 20 A No, we went deeper.  
 21 Q How was the previous well in that area?  
 22 A It was wonderful. I mean, you just went -- we had  
 23 one of those hand pumps and then it could also be hooked up  
 24 to a -- I had a motor also. But when we'd come up from  
 25 down in the river or at the garden and you'd just pump it  
 26 and just drink it, it was cold and good and -- it was  
 27 good. (Peruses document) This has to do with ----  
 28 Q Excuse me, let's mark that.



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1 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
2 EXHIBIT 23 FOR IDENTIFICATION PURPOSES.)  
3 Q (By Mr. Ross) I'll show you what's marked 23 and  
4 ask if you can explain what that is, please.  
5 A (By Deponent) This is a copy of the settlement  
6 statement for the sale of our house. I settled for  
7 \$80,000.  
8 Q And that's the sale to Hendrickson?  
9 A Hendrickson, yes. I'm still collecting this.  
10 Q Okay, and we'll mark this one.  
11 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
12 EXHIBIT 24 FOR IDENTIFICATION PURPOSES.)  
13 Q (By Mr. Ross) I'll show you what's been marked as  
14 Exhibit 24. What's that, please?  
15 A (By Deponent) A satisfaction of the mortgage. We  
16 paid off the mortgage on that house when we sold it.  
17 Q How much was owed on it when you -- at that time?  
18 A I believe \$60,000.  
19 Q Was the mortgage up to date when you sold it?  
20 A Um-hm. (Indicates yes.)  
21 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
22 EXHIBIT 25 FOR IDENTIFICATION PURPOSES.)  
23 Q (By Mr. Ross) I'll show you Exhibit 25 and  
24 explain that, please.  
25 A (By Deponent) Okay, this was the original loan  
26 that we got to purchase our house and move it in and begin  
27 re-building. It's a mortgage.  
28 Q That's what you paid off when you sold it?

1 1992?  
2 A Yes.  
3 Q But you had moved onto the property earlier in  
4 March of 1992?  
5 A No, I'm sorry. December of 1991 we moved the  
6 house.  
7 Q The mortgage -- this may help you ----  
8 A In December of 1992 we moved the house, and we  
9 moved in in March of '93.  
10 Q Now, where had you been living before that time?  
11 A We had lived in Glasgow; and when we moved to  
12 Poplar, we moved to the Gateway apartments because the  
13 house that had been on that property for all those years  
14 was not liveable.  
15 Q And the reason for the move from Glasgow to  
16 Poplar, I take it, was because you inherited the family  
17 farm in 1992?  
18 A I can't tell you the exact year. I inherited it,  
19 but I inherited about that time or my mother just  
20 transferred it to me. And we wanted to move back to the  
21 farm and, um, . . . move there.  
22 Q So you didn't actually pay anything for the farm,  
23 rather that was an inheritance or gift from your mother,  
24 correct?  
25 A Yes, it was.  
26 Q The house that was moved onto the property, the  
27 family farm, in 1992, in about December, where did that  
28 house come from?

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1 A Right.  
2 Q Okay, other than those documents -- let's go off  
3 the record for a minute.  
4 (OFF THE RECORD FOR A FEW MOMENTS.)  
5 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION  
6 EXHIBIT 26 FOR THE RECORD.)  
7 Q (By Mr. Ross) We're back on the record. I'll  
8 show you what's been marked as Exhibit 26, and if you can  
9 explain that to us, please.  
10 A (By Deponent) It's a copy of the bottle, the  
11 prescription that I received for the sores that were coming  
12 on our head.  
13 Q And those are all the documents you brought with  
14 you today?  
15 A Yes.  
16 MR. ROSS: I have no further questions. Thank you.  
17 EXAMINATION BY MR. STERUP:  
18 Q Ms. Bleazard, my name is Rob Sterup. I represent  
19 Samson Hydrocarbons. I want to see if I can understand a  
20 bit more clearly the circumstances of your move to the  
21 family farm. You moved to the family farm around well M32  
22 in 1993, is that accurate?  
23 A 1992.  
24 Q What month in 1992?  
25 A March, I believe. I believe about March. We  
26 moved the house in December, and I'm thinking it was about  
27 March.  
28 Q You moved the house onto the property in December,

1 A From the former Glasgow Air Force base. It was a  
2 duplex which was a part of a four-plex, and we took half of  
3 that four-plex. And we moved it and remodeled it into a  
4 single residence.  
5 Q And the price that you paid as reflected in the  
6 mortgage, one of our exhibits, to acquire that residence  
7 and to move it into the family farm, the price was about  
8 \$60,000, is that accurate?  
9 A Yes.  
10 Q Now, at the time you moved to the family farm in  
11 about March of 1993, the well that you used, M32, had it  
12 been constructed or was it to be constructed? Where did  
13 things stand?  
14 A It had -- we didn't move in without water. It was  
15 there.  
16 Q So the well was there. M32 was operational before  
17 you moved to the property in March of 1993?  
18 A Yes.  
19 Q Did you conduct any investigation of the water  
20 quality on the family farm before moving back to the  
21 property in March of 1993?  
22 A No.  
23 Q Did you have any concerns about the water quality  
24 on the family farm at that time?  
25 A No.  
26 Q When you moved to the family farm in March 1993,  
27 were you and your family able to consume the water for  
28 drinking purposes?

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1 A Yes.  
 2 Q Who was living at the residence at that time?  
 3 A In 1993, there was my daughter, Erica. She would  
 4 have been 15 approximately. My son, David, who would have  
 5 been -- he was born in '81. My husband Ross and myself.  
 6 Q Do you know Denise Grainger?  
 7 A Yes.  
 8 Q What is your relationship with Denise Grainger?  
 9 A She's my cousin.  
 10 Q How far is her place from your former place, the  
 11 family farm?  
 12 A A mile.  
 13 Q Before deciding to move a residence onto the  
 14 family farm in 1993, did you have any discussions with  
 15 Denise Grainger about water quality?  
 16 A No.  
 17 Q Never spoke with her about it at all?  
 18 A No.  
 19 Q Do you know either Abigail or Irma Reddoor?  
 20 A Yes.  
 21 Q Are you related to either of them?  
 22 A Um, not that I know of.  
 23 Q How far do they live from the family farm?  
 24 A I believe Abigail lives in town now, and Irma; but  
 25 prior to her moving, she lived, oh, probably three miles,  
 26 four miles away. Not far.  
 27 Q And before moving a residence onto the family farm  
 28 in 1993, did you have any discussions with either of the

1 Q When did that condition develop?  
 2 A Prior to -- it had to be in 1996.  
 3 Q Sometime in 1996? Earlier in the year, later in  
 4 the year?  
 5 A I would think early in the year. It was long  
 6 before my son's accident, which was in December of '96.  
 7 Q Did you treat -- strike that. Were you at least  
 8 suspicious at that time the oil field activities were or  
 9 may have been the source of water contamination problems?  
 10 A Um, you begin wondering what could be the source.  
 11 And, um, possibly, yeah.  
 12 Q Is it the case that from the time you and your  
 13 family first moved to the property in March of 1993, you  
 14 never used the water from M32 for drinking purposes?  
 15 A No, there were times that we used it to drink. We  
 16 also purchased water, but there were times when you just  
 17 come in because you're used to being able to just turn on  
 18 your faucet and getting a drink of water. But most of the  
 19 time, we purchased water.  
 20 Q I want to show you a document that I won't copy.  
 21 These are plaintiff's answers to Murphy Exploration and  
 22 Production Company's first interrogatories. On page 28,  
 23 there is a discussion of you and your family. Beginning  
 24 with the first full paragraph, it's stated that in 1993 she  
 25 and her family moved onto the property. They were told the  
 26 water was safe to drink, and they believed they were told  
 27 that by the Jana Well Company in Plentywood, who drilled  
 28 the well. Mrs. Bleazard will provide additional

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1 Reddoors about water quality?  
 2 A No.  
 3 Q Now, you said in response to some of Mr. Ross'  
 4 questions that at various points you talked to your  
 5 neighbors and developed some real concerns about water  
 6 quality. I take it you developed those concerns certainly  
 7 by 1994 when you testified you were having to haul laundry  
 8 into town to wash it?  
 9 A Um, a lot of that at that time, you're familiar  
 10 with the water was hard before, um, and after the clothes,  
 11 you know, kind of started changing color and, um, there's -  
 12 - it's hard to describe, but there was like almost a film  
 13 at times. They didn't feel clean, and you just kind of  
 14 wonder about the water and you get frustrated, you know,  
 15 but you don't -- you don't run around right away and say,  
 16 oh, do you think something's wrong with our water, or --  
 17 you don't do that right away.  
 18 Q You told Mr. Ross that you started hauling laundry  
 19 to town in 1994, you started noticing film in '94, perhaps  
 20 early '95. I take it by that point you had started to  
 21 develop some concerns about the water quality?  
 22 A Actually, at that point, I was probably just still  
 23 getting frustrated because I was having to clean the  
 24 toilets more, and I can't say that -- when I really started  
 25 developing the concerns was when we started getting sores.  
 26 That was a real -- that was really a concern. When you  
 27 start seeing visible things on your body, then you get --  
 28 you really get worried.

1 confirmation of that fact when it is received. At that  
 2 time, however, the water had a sulphury odor and the  
 3 Bleazards did not use it for drinking except that her  
 4 husband did once in a while. Is that an accurate  
 5 recitation of the facts?  
 6 A Yes, it is.  
 7 Q So, aside from your husband using it once in a  
 8 while, you and your family never used the water from M32  
 9 for drinking purposes?  
 10 A No.  
 11 Q Is that correct?  
 12 A Unless the kids once in a while came in, and I  
 13 didn't catch them.  
 14 Q The Jana Well Company of Plentywood, do you recall  
 15 had you spoke with anyone about water quality from that  
 16 company before you moved the residence onto the property in  
 17 1992-1993?  
 18 A Ah, no, because the house was there before they  
 19 dug the well.  
 20 Q So you and your family made the decision to move  
 21 the house onto the property even before M32 was dug?  
 22 A Um-hm. (Indicates yes.)  
 23 Q And the house had been moved and that money had  
 24 been expended even before you had any results from M32?  
 25 A Yes, Um-hm.  
 26 Q Do you recall who it was at Jana Well Company that  
 27 may have told you they thought the water was safe to drink?  
 28 A The only people that I talked to from Jana Well

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1 Company was the receptionist, who called and asked them if  
2 they could drill the well at the time, and the man that  
3 drilled the well. I believe there were two men. And the -  
4 - you know, he didn't run any tests right there on the  
5 water.

6 Q I take it you don't ----

7 A I think he drank it -- drank some of it.

8 Q I take it you don't recall the names of the folks?

9 A No, I don't. That was a long time ago. I saw  
10 them one day or two days when they drilled the well.

11 Q What was it about the water quality from M32 that  
12 caused you and your family to decide not to consume that  
13 water from the time you first moved out to the property?  
14 Was it the smell? What was it about the water?

15 A Um, the smell. Just -- and we -- mostly the  
16 smell.

17 Q How about the taste? Was there anything different  
18 or unusual about the taste, again focusing on when you  
19 first moved to the property in March of '93?

20 A A little saltier than I remembered the water, you  
21 know, when we had been there with Grandma. That was such  
22 good water, you know. And we -- I really didn't have a  
23 concern about the water when we first moved there because  
24 it had always been so good. There was never an issue. And  
25 when people come from miles to get the water and drink it,  
26 you don't think about it.

27 Q When you sold the house to Dr. Hendrickson in  
28 1998, you told him that the water could not be consumed?

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1 A Um-hm.

2 Q Correct?

3 A Yes.

4 Q And when you and your family moved onto the  
5 property in 1993, you also made a decision that the water  
6 would not be consumed, correct?

7 A Um-hm.

8 Q Is that a yes?

9 A Yes.

10 Q Have you ever spoken with anyone from either Grace  
11 Petroleum or Samson Hydrocarbons Company that you know of?

12 A Not that I know of.

13 MR. STERUP: Thank you. I have nothing further.

14 EXAMINATION BY MR. FAGAN:

15 Q Laura, I'm Gerry Fagan from -- I'm representing  
16 Marathon Oil. I just want to clear up one thing that  
17 confused me. Did you sell the property with the house for  
18 \$80,000 or for \$70,000?

19 A Eighty thousand. I said seventy before; but when  
20 I looked at the paper, it said \$80,000. And I'm collecting  
21 the last ten.

22 Q I thought I heard you say that when you were going  
23 through the documents. And the Jana Well Company, when  
24 they drilled the well, I take it they actually didn't do a  
25 sample or a test of it other than a taste test. Is that  
26 right?

27 A I don't believe they ----

28 Q As far as you guys know.

1 A I can check with them.

2 Q Is it my understanding that Justin never lived on  
3 the property near M32?

4 A He was in college. He went to college in 1991,  
5 and he came home in the summers.

6 Q So other than summers, he never ----

7 A Other than summers and vacations, no.

8 Q And how long -- how many years did Erica live on  
9 that property?

10 A Until 1998 when we left -- and same with David, we  
11 all left at the same time, same day.

12 Q Okay, so David and Erica lived with you and your  
13 husband the whole time that you lived on that property?

14 A Yes. Um-hm.

15 Q When you decided to sell the house, how long of a  
16 time was it on the market until you sold it?

17 A We started talking about it in like January. We  
18 had earlier talked about it and had an auction or put up an  
19 auction on certain parts of our land, and it didn't work.

20 And so then when we started talking about selling the  
21 house, I believe it was about January '98, and then started  
22 pursuing it in the spring, and then Dr. Hendrickson knocked  
23 on the door.

24 Q At what time was that?

25 A Um, I'm thinking the end of April or the first of  
26 May.

27 Q So you tried to auction off the property?

28 A Some of the property.

1 Q The property including the house?

2 A I believe we had the house, um-hm.

3 Q That was sometime prior to January of '98?

4 A Yes, it was.

5 Q About what time?

6 A I think it was in November. I think it was  
7 November of '97.

8 Q So you advertised there was going to be a public  
9 sale?

10 A Um-hm. (Indicates yes.)

11 Q Did you have anybody show up?

12 A Two people, I think.

13 Q Did you actually have an auction then or take  
14 bids?

15 A They kind of went through the process, but there  
16 wasn't any interest. And then we sold the land privately.

17 Q Was this the land with the house that  
18 Dr. Hendrickson bought that we're talking about or?

19 A Um, the farmland, the 180 acres. I had forgotten  
20 about the auction.

21 Q So you were trying to auction off several  
22 different pieces of property?

23 A Yes.

24 Q One of those pieces was the property at the house?

25 A Ycs. We had like different like A, B -- 1, 2, 3,  
26 4 lot type of thing, and then we reserved the right to not  
27 sell anything.

28 Q Did you have a minimum bid?

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1 A Yes, we did.  
 2 Q What was that for the property of the house?  
 3 A I'm thinking the property with the house was over  
 4 a hundred thousand dollars.  
 5 Q And so, I take it, you never had that auction  
 6 because no one met the minimum bid, is that what happened?  
 7 A Right.  
 8 Q You said you did run some ads?  
 9 A The auction company did, yes.  
 10 Q And in the local newspaper or ----  
 11 A One in the local newspaper, and they had some  
 12 flyers that they put out.  
 13 Q Do you have copies of any of those ads or flyers  
 14 available?  
 15 A I don't think so unless the auction company kept  
 16 them.  
 17 Q Would you be willing to look through your stuff  
 18 and see if you did ----  
 19 A Sure.  
 20 Q --- and provide them to Mr. Dolan?  
 21 A Um-hm.  
 22 Q What was the name of the auction company, do you  
 23 recall?  
 24 A R-K, Rick Kniepkamp.  
 25 Q Is that in Wolf Point?  
 26 A No, it's in Circle -- Lindsay area.  
 27 Q You talked earlier about some farmland that sold  
 28 near your farmland that sold for \$580 an acre.

1 A I'm sure he purchased water.  
 2 Q That's how he got his water?  
 3 A I'm -- I wasn't in his house at that time, but my  
 4 recommendation to him was to purchase water.  
 5 Q That didn't cause him any concern about buying the  
 6 property?  
 7 A No, his big concern was finding a place for his  
 8 family to live, and there were not many places available.  
 9 Q So I think you said, he always bought his drinking  
 10 water, anyway?  
 11 A Yes.  
 12 Q So he figured he'd just move on the property,  
 13 continue doing what he'd been doing?  
 14 A Right.  
 15 Q Do you know what kind of doctor he is?  
 16 A Um, he's at -- I think he specializes some in the  
 17 elderly. I believe he would be possibly chief of staff at  
 18 IHS right now, and so he sees a variety of patients; but I  
 19 believe he prefers geriatrics.  
 20 Q Did you mention at all your concerns about benzene  
 21 in the local water to him?  
 22 A Um, no. I told him I didn't know what was in the  
 23 water. I was honest about that we had gotten sores. I  
 24 told him he would have to take his laundry elsewhere. His  
 25 wife would have to clean the toilets and the sinks much  
 26 more often, and I was honest about the plumbing that it  
 27 would be eaten away.  
 28 Q I think you testified earlier that you offered

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1 A Yes.  
 2 Q Now, was that bought by the Lockmans or sold by  
 3 the Lockmans?  
 4 A Sold by the Lockmans. There was a death in the  
 5 family, and some of the children did not want to keep the  
 6 land, and so they sold it.  
 7 Q What kind of land is that?  
 8 A It's farmland.  
 9 Q Is it irrigated?  
 10 A No.  
 11 Q Dryland?  
 12 A Dryland.  
 13 Q Do you know what they raised on it?  
 14 A I believe wheat -- wheat or barley, but I would  
 15 think wheat.  
 16 Q Did they sell it to a relative or do you know?  
 17 A No, I don't believe so.  
 18 Q When Dr. Hendrickson was looking at your house,  
 19 was he concerned at all about the water?  
 20 A Ah, no, he was more concerned about finding a  
 21 place for his family to live in a short period of time, and  
 22 he said that was okay because they buy their water, anyway.  
 23 Q So -- because I think there was a time period from  
 24 when the time he bought the house to when the EPA started  
 25 providing water, ----  
 26 A Yes, there was.  
 27 Q --- which he didn't have water, right? Other than  
 28 the water from M32?

1 \$80,000 to him and you finally settled on seventy. So  
 2 since you changed your mind about the sales price, do you  
 3 know how the negotiations went?  
 4 A He came and he said if I would settle for seventy,  
 5 I believe at the time, and would take payments over a five  
 6 year period, that he would pay the additional. And so we  
 7 have a second mortgage, and we receive \$250 a month.  
 8 Q With him?  
 9 A With him.  
 10 Q Okay. This is a pretty innocent question, but is  
 11 it Ken Hull, H-U-L-L, or Ken Hall, H-A-L-L?  
 12 A H-U-L-L.  
 13 Q I thought yesterday people were saying Ken Hall,  
 14 so.  
 15 A I think most people do say Hall, but it's actually  
 16 Hull.  
 17 Q The grazing land that was sold near the river to  
 18 O'Connor, have you ever heard any complaints about water  
 19 problems from him?  
 20 A I haven't really seen Dunn since I sold it except  
 21 a couple times on the street, and he asked me about an  
 22 additional ten acres that I hadn't sold him, if I was  
 23 interested in selling that. He'd like to tie it in. And  
 24 other than that, our conversation has been, hello, how are  
 25 you, kind of thing.  
 26 Q How about Dr. Hendrickson? Do you talk to him  
 27 anymore?  
 28 A Um-hm. I see him at IHS and I work with him with

1 Head Start.  
 2 Q Has he ever made any complaints about the water?  
 3 A We've never really talked about the water.  
 4 Q Have you heard about sores on his body or his  
 5 family's body?  
 6 A No, and I haven't asked.  
 7 Q Hasn't come up?  
 8 A No.  
 9 Q Sounds like you're knowledgeable about injection  
 10 wells?  
 11 A Only a little bit.  
 12 Q How did you learn about those?  
 13 A Um, I have concerns about the environment and  
 14 concerns about injection wells or what is done with waste  
 15 or, um, I also have con -- My father-in-law was in a  
 16 business where they evaporated off the water, the waste  
 17 water, rather than injection wells, and so we've had some  
 18 discussion about that.  
 19 Q Did you do some research on your own or read up on  
 20 it or?  
 21 A Um, no.  
 22 Q Talked to people about it?  
 23 A I've talked to my husband and my son and my  
 24 father-in-law and my father, that kind of thing.  
 25 Q Just driving by, you can recognize injection wells  
 26 as opposed to a producing well?  
 27 A I'm not sure I could, no.  
 28 Q Okay, I thought you said earlier you could.

1 A No, I just said that, when you drive by, you don't  
 2 know, you know, exactly what's going on there except that  
 3 it kind of makes it ugly.  
 4 Q Now, you're talking about any well or just a  
 5 particular injection well?  
 6 A Um, well, sometimes there's trash and things that  
 7 are dumped, and I'm -- you know, like there's like big  
 8 spills. I can't tell you what the spills are. Um, and  
 9 lots of times there's, you know, like a bucket thrown here  
 10 or pipe thrown off someplace or, ah -- it doesn't make it  
 11 very attractive.  
 12 Q But these are just wells in general, not ----  
 13 A Um-hm.  
 14 Q --- any particular injection well?  
 15 A I couldn't drive by and say, this is an oil well  
 16 or this is something else.  
 17 Q Are you aware of any injection wells that are  
 18 around the property M32 specifically?  
 19 A I believe there's one, and I stated that earlier,  
 20 near Tim Trottier's residence.  
 21 Q And how do you know that's an injection well?  
 22 A Discussion, ----  
 23 Q With who?  
 24 A --- conversation. Um, people in our group, um ---  
 25 --  
 26 Q The group being of plaintiffs?  
 27 A Plaintiffs. Tim Trottier, Herman Pipe.  
 28 Q And how far back do these discussions go? How

1 many years ago?  
 2 A Oh, can't remember the first time I talked to  
 3 Timmy about it. Um, probably '97.  
 4 Q When you took out the mortgage for \$60,000, that  
 5 was to move the house and to remodel it?  
 6 A Um-hm. (Indicates yes.)  
 7 Q Did you put any additional money into it?  
 8 A Um-hm. Oh, yeah.  
 9 Q How much additional do you think you put into it?  
 10 A If I were to answer that, I'd probably say a lot  
 11 more than my husband, but, um, I would say probably forty,  
 12 fif -- \$40,000, at least.  
 13 Q This is actual cash that you put into it or?  
 14 A Um-hm. (Indicates yes.)  
 15 Q Do you have documentation for any of those kinds  
 16 of expenses?  
 17 A I don't know if I have receipts anymore.  
 18 Q What kind of things are you talking about?  
 19 A Um-m.  
 20 Q Did you hire a crew to come in and remodel it or?  
 21 A No, we hired -- my husband did most of it, and  
 22 then we hired one person to come in and help him. And then  
 23 we also planted lawn and re-planted lawn, we moved trees,  
 24 and, you know, that kind of thing to landscape.  
 25 Q The additional forty to fifty thousand, was that  
 26 primarily materials?  
 27 A Yeah, not labor.  
 28 Q Including landscaping and those kind of things?

1 A Yes. Even the trees, we tried bringing even trees  
 2 like from the river area that were natural to that and  
 3 bring them up.  
 4 Q Have you ever talked with any employee of Marathon  
 5 Oil?  
 6 A Not that I know of.  
 7 Q Or Texas Oil and Gas?  
 8 A Not that I know of.  
 9 Q Are you aware of any of their wells?  
 10 A No.  
 11 MR. FAGAN: I have no further questions. Thanks.  
 12 (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN  
 13 CONCLUDED AT 10:28 A.M.)  
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CERTIFICATE

STATE OF MONTANA

: ss.

COUNTY OF ROOSEVELT )

I, JOANN D. HESER, Official Court Reporter, Fifteenth Judicial District, and a Notary Public duly qualified in and for the State of Montana, hereby certify there came before me the deponent herein, namely LAURA BLEAZARD, who was by me duly sworn to testify to the truth and nothing but the truth concerning the matters in this cause.

I further certify that I was the Official Court Reporter who reported, by means of LANIER recorder, this deposition. The testimony therein and other proceedings herein contained are a true and correct transcription of the original tapes and my notes, TO THE BEST OF MY ABILITY.

I further certify that I am not related in any manner to any party, witness, or counsel and have no financial or other interest in the outcome of the above entitled cause.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal this 26th day of June, 2001.

Joann D. Heser

NOTARY PUBLIC

My Comm. exp. 7/2/2004

CORRECTIONS TO DEPOSITION

The Deponent, LAURA BLEAZARD, states she wishes to make the following changes in testimony as originally sworn:

PAGE	LINE	SHOULD READ	REASON
6			
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LAURA BLEAZARD

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DEPONENT'S CERTIFICATE

I, LAURA BLEAZARD, do hereby certify that I have read the foregoing transcript of my testimony and that the same is a full, true and correct record of my deposition except as to any corrections I have listed on the Corrections to Deposition form.

Changes and corrections made.

No changes or corrections made.

LAURA BLEAZARD

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

NOTARY PUBLIC for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

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